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MINUTES

National Public Lands Advisory Council

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August 21-23, 1986

Great Falls, Montana

[redacted]

Summary

The National Public Lands Advisory Council (See Attachment A for roster) held its second meeting of Calendar Year 1986 in Great Falls, Montana, on August 22 and 23 and participated in a field tour of BLM-managed lands in Montana on August 21.

During the 3-day session (see Attachment B for agenda), the Council:

Heard formal presentations by:
- -- Steven Griles, Assistant Secretary of the Interior for Land and Minerals Management
- -- Douglas Hemmer, Montana State Lands Commissioner

Heard a presentation on the Bureau of Land Management's Automated Land Information System from Bob Moore, Director of BLM's Denver Service Center

Heard a panel discussion on threatened and endangered species and public land management by:
- -- Bill Radtkey, Threatened and Endangered Species Program Manager, BLM
- -- Marvin Moriarty, Chief of Endangered Species Office, Fish and Wildlife Service
- -- Nancy Cotner, Great Falls Resource Area Manager, BLM

Heard oral statements from the following persons/organizations:
- -- Lisa Flesche, Legislative Analyst, Chevron USA, Inc.
- -- Jim Courtney, Montana Public Lands Council and National Cattlemen's Association
- -- Janelle Fallan, Executive Director, Montana Petroleum Association
- -- Mike Micone, Executive Director, Western Environmental Trade Association
- -- James Phelps, Public Lands Chair, Montana Audubon Society
- -- Larry Blasing, Forester, F.H. Stoltze Land and Lumber Company
- -- Gerald Parker, Timber Manager, Pyramid Mountain Lumber, Inc.
- -- George Engler, Montana Wildlife Federation
- -- Lewis Hawkes, Public Lands Access Association
- -- Mark Walsh, Associate Director, Utah Association of Counties
- -- Bill Vaughey, independent oil and gas producer
- -- Ira Perkins, East Front Landowners

Participated in a field tour of BLM-managed lands in the Rocky Mountain Front. The area visited has major oil and gas development potential, contains prime grizzly bear habitat, and has portions under consideration for wilderness designation. The focus of the tour was on management conflicts and challenges which result from these competing uses and a multi-ownership land pattern.

Adopted resolutions concerning:

-- Recordation of Mining Claims
-- Arctic National Wildlife Refuge (two resolutions)
-- BLM Wilderness in Utah
-- Bonding for Hardrock Minerals
-- Threatened and Endangered Species
-- Endangered Species Act
-- Riparian Definition
-- Multiple Use Information Program
-- Funding for BLM Timber Sale Program

And decided to hold its next meeting on November 12-14 in Rolla, Missouri, followed by an April 15-17, 1987 meeting in Washington, D.C., an August 20-22 1987 meeting in Elko, Nevada, and an October, 1987 meeting in Denver, Colorado. Principal topics for the meetings will be determined after consultation between Council officers and Bureau officials.

Friday Morning -- August 22

Call to Order and Opening Remarks. Chairman B. Wells O'Brien convened the Council meeting by welcoming Gerald Creasy of Oregon as a new Council member. He also noted that Roger Donlon had recently resigned from the Council and that members Garrey Carruthers and Peter Murphy were unable to attend the Great Falls meeting.

BLM Director Robert Burford introduced various Bureau officials attending the Council session and reiterated to the members his personal interest in receiving their advice on matters concerning the public lands. He also informed the Council that he had just received word about a tragic helicopter crash that had killed four BLM and one Forest Service employee during a wilderness fly-over in Oregon.

BLM's Montana State Director, Dean Stepanek, next extended an official welcome to Montana and introduced principal staff who help to organize the meeting and Council field tour.

Assistant Secretary's Overview. Steven Griles, Assistant Secretary of the Interior for Land and Minerals Management, provided an update on key issues involving the Bureau and the Assistant Secretary's Office. Included were:

- National Wildlife Federation litigation on withdrawals and classifications. The adverse impacts of the Court's preliminary injunction are being felt westwide. The Department has decided that it will not go to the courts for individual exclusions from the lawsuit, and that it is now up to NWF, who brought the lawsuit, to suggest a solution.

- Oil and gas leasing legislation. The Department cannot support the increased environmental requirements contained in various oil and gas leasing bills proposed by the House -- the Bureau's planning process already addresses the issues raised in the bills. Senator Bumpers' bill would eliminate the problem of KGS definition/administration and let the market decide the level of leasing interest. The prognosis is that we won't see legislation enacted this session.

- Coal legislation. Congress has yet to resolve the problems regarding section 3 and 7 provisions of the Federal Coal Leasing Act Amendments and has some monumental decisions to make about the future of coal leasing.

- Placer mining. The Sierra Club litigation concerning BLM's role in monitoring placer mining in Alaska could have implications for such activity in the lower 48 States.

- Wild Horse and Burro Advisory Board. The Board was created to bring scientific and professional analysis to the issues involved in wild horse and burro management and make recommendations for future management.

- TOSCO settlement on oil shale claims. The media has not written factual articles about the terms of the settlement. The companies involved do not get fee simple title; they get the oil shale resource and the sand and gravel, but the Department retains all public benefits and subsurface minerals. The Department settled the case because it was in the public interest.

- Grazing. The Department will be initiating a new Cooperative Management Agreement (CMA) program to recognize good rangeland stewards and plans to have regulations out this February. This program will give greater flexibility to the allotment holder and ultimately work to improve the range.

- Monitoring. A recent court decision in Reno ruled that the Bureau of Land Management's professional managers should make the decisions on the appropriate level of monitoring.

- Outer Continental Shelf leasing offshore California. Assistant Secretary Griles has been the Department's negotiator with 18 Members of Congress on offshore leasing issues. The group has agreed to study two alternatives on when and where to lease. The hope is that Congress will concur and not place a moratorium on leasing.

- Arctic National Wildlife Refuge. The Department's study on whether the coastal zone area should be opened to oil and gas leasing will be presented to Congress for their review and action.

- Royalty collection and distribution. The Department has an advisory committee to provide expertise on the royalty program and expects their report and recommendations on a firm government policy on royalties.

Public Land Management in Montana -- The State View. Dennis Hemmer, Montana State Lands Commissioner, addressed the Council concerning the affect that public land management has on Montana's economy, noting that most major industries in the State are dependent on Federal land management policies. He stressed the need for constant interaction and cooperation between the State and Federal agencies and discussed the Natural Resource Council that the Governor, BLM State Director, and Forest Service Regional Forester had formed to keep each other abreast of developments and resolve problems. He added that the State had recently initiated a land exchange program to consolidate ownerships and had signed an agreement with BLM's Montana State Office on the program.

Automated Land Information System. Bob Moore, Director of BLM's Denver Service Center, provided background and an audio-visual presentation on the Bureau's initiative to automate its records system. He noted that there are now one billion documents relating to Federal land records being maintained manually in 200 locations. This antiquated system is not cost-effective and is being automated so that immediate and accurate reports will be accessible for public land policy decisions.

Mr. Moore said that the Bureau is now in the early design stage for the Automated Land and Minerals Record System (ALMRS) and should have the system up and running by 1992. It will serve to streamline day-to-day operations, provide faster case processing, and allow quicker response to the public's requests for information. ALMRS data will also be used by industry, State and local government, and various Federal agencies, and will help eliminate duplications in Federal data collecting. It was noted that in addition to ALMRS, the Bureau is also developing a Geographic Information System (GIS) and a Geographic Coordinated Data Base (GCDB). Updates on the Bureau's progress with these systems will be provided to the Council at future meetings.

Threatened and Endangered Species and Public Land Management. The Council next heard a panel discussion abou the Threatened and Endangered Species Act and the roles that the Fish and Wildlife Service and Bureau of Land Management play in administering provisions of the Act. Panel participants included Bill Radtkey, BLM's Threatened and Endangered Species Program Manager, Marvin Moriarty, FWS' Endangered Species Office Chief, and Nancy Cotner, BLM's Great Falls Resource Area Manager.

Mr. Radtkey provided background information on the statutory provisions of the Endangered Species Act, noting that its intent is to prevent species extinction, maintain biological diversity, and provide adequate animal habitat. In addition, the Act preempts States' rights, sets standards for avoiding adverse impacts on species, and supercedes all other legislation. The aim is to conserve the species so it can be delisted.

Mr. Moriarty discussed the role of the Fish and WildLife Service in administering the Endangered Species Act, stating that FWS is the lead agency for listing species, developing recovery plans and goals, and ultimately delisting a species. He said that BLM had risen to the challenge to get out in front of the endangered species program and was working with FWS to conserve and delist species. In addition, Interagency Management Guidelines had just been developed to help reconcile provisions of the Act and agency mandates. In closing, Mr. Moriarty said that he had noticed fewer Federal/State/local conflicts over threatened and endangered species management and that communication was improving.

Ms. Cotner next focused on how a manager in the field deals with requirements of the Endangered Species Act and added that her experience had shown that there can be multiple use of the public lands and adherence to the Act's provisions. The key is developing an early warning system so there is sufficient time for the agency or affected parties to comply with whatever paperwork or studies that may be required. Ms. Cotner then described the process involved for certain leasing activities in habitat occupied by threatened and endangered species and discussed how the applicant, respective Federal agencies, and State Fish and Game personnel work out possible mitigation measures. The procedure, she stated, is workable.

Friday Afternoon -- August 22

Public Statement Period. Twelve people presented oral testimony to the Council, summaries of which are given below. A written statement was also submitted for Council consideration. (For copies of these statements, see Attachment D.)

Lisa Flesche, a Legislative Analyst with Chevron USA, Inc., addressed concerns that the oil and gas industry has with public land access. Her principal points were that:

- Public lands should not be closed or restricted from resource development and non-wilderness multiple uses unless there is a compelling reason in the National interest overriding the need for such resources;
- Federal agencies have the power to fully protect the environment through existing legislation and regulations, without withdrawing the lands as wilderness;
- Oil and gas development activities are compatible with sensitive environmental and wilderness values;
- Federal agencies must be willing to shoulder the economic burden of wildlife studies mandated by the Endangered Species Act.

Jim Courtney, representing the Montana Public Lands Council and the National Cattlemen's Association, discussed the important role of range technicians in developing effective BLM rangeland programs. He also stated his opinion that sufficient legislation exists for Federal agencies to address any problems regarding riparian management, and that the Bureau should better communicate to the public what has been done in this area to date.

Janelle Fallan, Executive Director of the Montana Petroleum Association, spoke to the Council about a public survey that had been done on natural resource development in Montana. She explained that the survey was commissioned by the Western Environmental Trade Association (WETA) and conducted by the Bureau of Business and Economic Research. The results showed that there is considerable support in the State for developing Montana's natural resources.

Mike Micone, Executive Director of WETA, further discussed the statewide survey on natural resource development that his organization had undertaken, stating that the people of Montana believe in utilizing the public lands to the fullest extent possible. He stressed the importance of the public lands to the State's future economic health.

James Phelps, Public Lands Chair for the Montana Audubon Council, addressed the need for sufficient wildlife biologists in the Bureau to ensure proper administration of the Endangered Species Act. He also discussed the mandate in FLPMA to designate Areas of Critical Environmental Concern (ACECs) and urged that this be a Bureau priority for qualified lands.

Larry Blasing, a Forester with F.H. Stoltze Land and Lumber Company, spoke about the need to restore proposed cuts in the Bureau's timber sale program in order to maintain the industry at its current level. He also suggested numerous opportunities to make the Bureau's program more cost effective and urged the Council to support increasing the level targeted for timber management.

Gerald Parker, Timber Manager for Pyramid Mountain Lumber, Inc., echoed the concerns raised by Mr. Blasing regarding reduced funding for BLM's timber sale program. He urged reinstatement of the funds and stressed the adverse impact that the proposed reduction would have on timber-related jobs in Montana.

George Engler, representing the Montana Wildlife Federation, spoke about the Federation's opposition to oil and gas development in the East Front of the Rocky Mountains, noting that the organization passed a resolution to that effect at its last meeting. He suggested that the Administration take a larger view of its responsibility to the Nation's welfare rather than focus on short term economic benefits to local communities.

Lewis Hawkes, representing the Public Lands Access Association, discussed the work of his organization to try and ensure public land access. He said that 60 percent of BLM-managed lands are currently inaccessible and that the average citizen is, therefore, unable to use the public lands.

Mark Walsh, Associate Director of the Utah Association of Counties, expressed the concerns of local Utah officials about BLM's draft EIS on Utah wilderness. He particularly cited roads identified as part of the State's Class D Road System that BLM will not recognize, thereby potentially cutting off access to the surrounding public lands. He also noted the officials' position that the economic impact data in the draft EIS does not meet the requirements of the National Environmental Policy ACT (NEPA), inadequately assessing impacts on local economies.

Bill Vaughey, an independent oil and gas producer in Montana, discussed the need to explore Montana's Overthrust Belt. He stated that the Eastern Mountain Front has excellent oil and gas fields that have not as yet been explored, and that development is welcomed by the majority of people in the State as a means to improve the currently depressed economy.

Ira Perkins, representing the East Front Landowners, discussed the serious problems and activity restrictions that reintroduction of the grizzly bear was having in the East Front area. He recommended, given the large worldwide population levels of the animal, that it not fall under the protection of the Endangered Species Act and should be managed in the State by the Fish and Game Department.

Council Old and New Business. During this portion of the Council meeting, the members addressed a number of administrative items and were updated by Bureau officials on issues they had considered at previous Council meetings. This included:

- The minutes from the Council's May 14-16, 1986, meeting in Gillette, Wyoming, were unanimously approved.

- Dave Tidwell, Special Assistant to Director Burford, reviewed the Department's responses to the Council resolutions adopted at the Wyoming meeting. (See Attachment E for complete text of Council resolutions and Department responses.)

- Member Dave Schaenen reported on his May 16 presentation to the President's Commission on Americans Outdoors in Cheyenne, Wyoming. Representing the Council, he delivered three resolutions to the Commission members for their consideration. These covered User Ethics and Stewardship, Management of Recreation of the Public Lands Administered by BLM, and A Financial Base for Recreation Management, Operation and Maintenance on BLM-Administered Public Lands. Since that time, the Commission has had several more meetings and concluded its field hearings. Member Paula Easley testified at the Anchorage hearing and noted that the Commission's draft report is still in rough form at this time. The emphasis seems to be on funding for the Land and Water Conservation Fund and establishing an institution to get the Commission's recommendations enacted.

- Chairman O'Brien apprised the Council that member Bob Wright had been appointed as Council liaison to the Department's Wild Horse and Burro Advisory Board and that Brad Little was serving as Board liaison to the Council. Mr. Little reported on the Board's activities to date, noting that the nine-member advisory body had a broad, diverse spectrum of representation and had begun working on the many issues involved with the wild horse and burro round-up and adoption program. Any input from the National Advisory Council was welcomed.

Meeting of Council Subcommittees. The Council meeting was recessed so that members could spend the remainder of the afternoon in subcommittee session and develop resolutions for Council consideration the following day.

Saturday Morning -- August 23

Report on Future Council Meetings. Vice Chairman Donald Butler notified the members of the dates and locations for the next four Council meetings:

- November 12-14, 1986 -- Rolla, Missouri
- April 15-17, 1987 -- Washington, D.C.
- August 20-22, 1987 -- Elko, Nevada
- October, 1987 -- Denver, Colorado

There was also some discussion about the possibility of a meeting in Alaska, and staff will be looking at the costs for such a trip.

Leon Kabat, from BLM's Milwaukee District Office, next provided an overview of what was planned for the November 12-14 meeting in Rolla, Missouri. The primary emphasis during the meeting will be the Bureau's working relationship with the various State agencies in Missouri as it coordinates Federal land and mineral activities. U.S. Congressman Bill Emerson, who serves on the House Interior and Insular Affairs Committee, is scheduled to address the Council, and numerous State officials will particate in the 3-day session. Two field trips are also planned -- the first to lead and zinc mining operations in southeastern Missouri and the second to a wild horse and burro "satellite" adoption center.

Chairman O'Brien then recessed the meeting so that members could meet in subcommittees to finalize potential resolutions for Council consideration.

Reports from Subcommittees and Adoption of Council Resolutions. When the meeting reconvened, the members discussed and then adopted the following ten resolutions. The name of the sponsoring subcommittee and the principal speaker in behalf of each are noted. All resolutions were approved by unanimous voice vote. A resolution dealing with access easements was also discussed at length but eventually tabled by the Council.

Energy and Minerals Subcommittee (Larry Kelley, Chair)

RECORDATION OF MINING CLAIMS

WHEREAS: The General Accounting Office recently has criticized the Bureau of Land Management (BLM) for recording mining claims located in withdrawn areas; and

WHEREAS: Such criticism misperceives the purposes of mining claim recordation in the Federal Land Policy and Management Act; and

WHEREAS: Legitimate disagreement as to withdrawal status may exist in certain instances; and

WHEREAS: Acceptance of material for recordation is nonjudgmental, and does not constitute BLM acknowledgment of claim validity; and

WHEREAS: An otherwise invalid claim is not made valid by recordation, and may not, therefore, encumber public land; and

WHEREAS: Failure to accept a valid claim for recordation can adversely a[illegible] the rights of claim locators; and

WHEREAS: Routine screening of mining claims represents an undue expense to BLM.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges BLM to strenuously resist GAO and Congressional pressures to screen mining claims prior to their acceptance for recording.

ARCTIC NATIONAL WILDLIFE REFUGE

WHEREAS: Falling domestic oil and gas exploration, production, and reserves, coupled with an alarming increase in the importation of foreign crude oil and products, indicates an increasing dependence on foreign sources of supply; and

WHEREAS: This dramatic increase in imports, up 43 percent in the first four months of 1986 over the same period last year, underscores the strategic role that oil plays in America's energy equation; and

WHEREAS: Current oil production from Alaska's North Slope presently accounts for 20-25 percent of our total daily production, but next year could see the beginning of the decline of Prudhoe Bay production, with rapid decline expected thereafter in the early 1990s; and

WHEREAS: New discoveries are urgently needed to replace rapidly depleting reserves, and the addition of a major new North Slope oil field would significantly reduce our Nation's dependence on foreign sources of supply, thereby enhancing our economic and military security; and

WHEREAS: Available geologic and geophysical data indicate that the coastal plain of the 18 million acre area of ANWR may hold discoveries of oil and gas that could surpass Prudhoe Bay, and is known as this country's most promising major undeveloped onshore prospect.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Secretary of the Interior to work with the Congress to prevent the inclusion of the Arctic National Wildlife Refuge coastal plain into the existing 8 million acre wilderness area of the refuge, so as to permit the opening up of this potentially highly prospective area to oil and gas leasing, exploration, and development. Development of this area would have great economic significance not only to the State of Alaska, but to the Nation as a whole.

Lands Subcommittee (Paula Easley, Chair)

ARCTIC NATIONAL WILDLIFE REFUGE

WHEREAS: During consideration of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), the United States Congress recognized the high potential for discovering oil and gas in the Arctic National Wildlife Refuge (ANWR); and

WHEREAS: Section 1001 of ANILCA directed the Secretary of the Interior to: (1) assess ANWR for potential oil and gas resources and make recommendations concerning future use and management of those resources including an evaluation of alternative transportation routes needed for oil and gas development, (2) review the wilderness characteristics and make recommendations for wilderness designation of these lands, and (3) study and make recommendations for protection of the wildlife resources of ANWR; and

WHEREAS: Section 1002(h) of ANILCA requires that Congress receive a report containing information on: (1) geological potential of the area, (2) description of fish and wildlife resources and their habitats, (3) assessment of the potential affects of oil and gas development on wildlife resources and habitat, (4) discussion of potential transportation and processing facilities, and (5) recommendations as to whether oil and gas leasing should occur in ANWR; and

WHEREAS: A 1980 U.S. Geological Survey report estimated there are .8 to 17.6 billion barrels of undiscovered oil in place at the 95 percent and 5 percent probability levels, respectively, and from 1.4 to 28.1 trillion cubic feet of natural gas in the ANWR coastal plan, and the results of more recent seismic exploration work have not yet been made available to Congress or the public; and

WHEREAS: H.R. 4922 has been introduced in the House of Representatives by Congressman Morris Udall that would preempt the Congressionally-mandated analysis of geologic and wildlife related information and simply place the 1.5 million acre coastal plain in permanent wilderness designation, and over 50 representatives have co-signed this legislation.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council expresses its opposition to Congress' consideration of the land status of ANWR in violation of its own mandated procedures and urges all Members of Congress to commit to no position on the ANWR until Congress has analyzed the 1002(h) study prepared by the Secretary of the Interior.

BE IT FURTHER RESOLVED: That a copy of this resolution be sent to every Member of Congress.

BLM WILDERNESS IN UTAH

WHEREAS: The Bureau of Land Management in Utah has completed its Draft Environmental Impact Statement (DEIS) on wilderness; and

WHEREAS: The DEIS inadequately responded to the concerns raised by the Governor, the State Legislature, and elected county officials of Utah; and

WHEREAS: The DEIS inadequately responsed to the concerns of elected officials in Utah concerning wilderness and the use of public lands as being integral to the vitality and viability of the economy, in all its aspects, in Utah.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council supports and endorses SCR-1 which was passed by the Utah State Legislature in a May 1986 special session and supported by the Governor, the response to the DEIS by the counties of Utah, and the resolution recently adopted by BLM's Moab District Advisory Council.

BONDING FOR HARDROCK MINERALS

BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Secretary of the Interior and the Director of the Bureau of Land Management oppose reclamation bonding as proposed in H.R. 5234, the FY 1987 Appropriations Bill for the Department of the Interior.

THREATENED AND ENDANGERED SPECIES

WHEREAS: The listing of a species as threatened or endangered often has the potential for serious resource conflicts; and

WHEREAS: There may be substantial disagreement regarding the sufficiency or accuracy of the available data relative to the determination of a listing; and

WHEREAS: Considerable professional disagreement may exist regarding whether a species should or should not be listed.

THEREFORE, BE IT RESOLVED: That where there is substantial disagreement, the Council recommends the Secretary of the Interior designate an independent review panel, whose members were not involved in the original listing, to evaluate the adequacy and accuracy of the data and professional judgments used to make the listing determination.

Renewable Resources Subcommittee (Bob Wright, Chair)

ENDANGERED SPECIES ACT

WHEREAS: The presence of threatened or endangered plant or animal species can present serious obstacles to important resource use and development and to critical plant and animal pest control on public and private lands; and

WHEREAS: The process required by the Endangered Species Act, administered by the U.S. Fish and Wildlife Service through local, State, and Federal agencies is extremely complex, costly, and cumbersome.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior instruct the Director of the U.S. Fish and Wildlife Service to institute coordinating committees composed of appropriate representatives of agencies of the various departments, as well as interested and involved public and private interests at the national, regional/state, and local levels who will be responsible for early consultation, coordination, and resolution of the programs and issues affecting or affected by threatened and endangered species; and

BE IT FURTHER RESOLVED: That the Secretary of the Interior establish an interagency task force to develop recommendations, including amendments to the Act that will lead to more realistic protection and management of threatened and endangered species, giving full consideration to economic development on public and private lands.

RIPARIAN DEFINITION

BE IT RESOLVED: That the Bureau of Land Management adopt the following definition for riparian areas:

> "A riparian area is an area of land that is directly influenced by permanent water. It has visual vegetative or physical characteristics reflective of permanent water influence. Lake shores, river, or stream banks are typical riparian areas."

MULTIPLE USE INFORMATION PROGRAM

WHEREAS: Many miles of interstate, federal, primary and secondary highways cross vast areas of BLM administered lands; and

WHEREAS: The multiple use of these lands has and continues to provide minerals, oil and gas, timber, grazing, recreation, and other resources and values under principles of multiple use; and

WHEREAS: Secretary of the Interior Hodel has initiated a major campaign known as "Take Pride in America" with respect to public lands; and

WHEREAS: The National Public Lands Advisory Council has urged the Department to develop a plan to educate the public regarding multiple use benefits.

THEREFORE, BE IT RESOLVED: That the Council recommends an interpretive sign and informational program depicting multiple use values at various points of interest on such highways heretofore identified in cooperation with State and local Governments to provide such turnouts and interpretive displays at various locations.

FUNDING FOR BLM TIMBER SALE PROGRAM

WHEREAS: The Bureau of Land Management timber sale program needs to be adequately funded to ensure continuation of its important contribution to the economies of the western states; and

WHEREAS: The timber sale program is a locally important part of the raw material supply for the forest products industry; and

WHEREAS: The forest products industry provides employment and economic benefits to dependent communities; and

WHEREAS: The BLM timber sale program returns to the American people stumpage receipts, capital improvements to the public land's assets, deposits, and other management benefits that are greater than the costs of the timber sale program.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the timber sale program be adequately funded.

Closing Remarks and Adjournment. Before adjourning the Council meeting, Chairman O'Brien requested that any members wishing s subcommittee reassignment contact him before the next Council meeting. He then extended special appreciation to Montana State Director Dean Stepanek and his staff for the excellent job that they had done in organizing the Council's meeting and field tour. The Chairman also thanked those members of the public who had addressed the Council the previous day and shared their views on various public lands issues.

The meeting was adjourned at approximately 11:00 a.m.

MEMBERS

NATIONAL PUBLIC LANDS ADVISORY COUNCIL

Robert H. Adams -- Valley Center, California. Owner of Adamss Properties. Board Member for past 15 years of San Diego's Natural History Museum and the Zoological Society's Wild Animal Park. Formed Valley Center Community Recreation, Inc. in 1974 and developed and funded Adams Community Park. Named Citizen of the Year in 1977. Former owner of Adams Machine and Manufacturing Company; previously associated with Hughes Tool Company, Hughes Aircraft Company, R.J.M. Company, and Madsen Iron Works.

Calvin Black -- Blanding, Utah. Chairman, San Juan (UT) County Commission. President of Markev Mines. Board of Directors Member, Utah Mining Association. Regional Director of the National Conference of Republican County Officials. Member, National Association of Counties (NACo) Energy and Environment Steering Committee, and Member of NACo/WIR Board of Directors. Chairman and Board of Directors Member, Southeastern Utah Association of Counties. Member of the Utah State Land Board. Former Utah State Representative and Mayor of Blanding.

James E. Bowns -- Cedar City, Utah. Professor of Range Science, Southern Utah State College and Utah State University. Served as past President, Utah Section, Society for Range Management. Member of the Utah Agricultural and Wildlife Damage Prevention Board. Previous Member, Interior Department's Animal Damage Control Policy Study Advisory Committee. Recipient of Utah Farm Bureau's Special Service to Agriculture Award and Utah Academy of Science Arts and Letters' Distinguished College Teaching Award. Member of BLM's Cedar City District Advisory Council.

Donald Butler -- Tucson, Arizona. President, Coronado Cattle Company, Inc. Serves as President, and as a Member of the Board of Directors, Executive Committee, and Cattle Fax Board, for the National Cattlemen's Association. Also Chairman, and Board of Directors Member, U.S. Meat Export Federation. Serves as President of Southwestern Fair Commission and Director of Arizona National Livestock Show. Director, and past President, Arizona Cattle Feeders Association. Former Trustee, Arizona 4-H Youth Foundation.

Garrey Carruthers -- Las Cruces, New Mexico. President of Garrey Carruthers Associates, Inc., management consultants. Former Assistant Secretary of the Interior for Land and Minerals Management, responsible for the administration of the Bureau of Land Management, Minerals Management Service, and Office of Surface Mining. Previously Professor of Agricultural Economics at New Mexico State University. Served also as a White House Fellow and as a Special Assistant to the U.S. Secretary of Agriculture. Former Acting Director of the New Mexico Water Resources Institute and Chairman of the New Mexico Republican Party.

ATTACHMENT A

Gerald J. Creasy -- Garibaldi, Oregon. Tillamook County Commissioner. Also serves as Garibaldi City Councilman. President of Keta Corporation, a salmon aquaculture facility. President of the Oregon Sports Salmon Fishermen's Association. Formerly owner and operator of the Garibaldi Marina and the Old Mill Marina. Serves as a Trustee of the Rockaway Community Church.

David W. Delcour -- Golden, Colorado. Director of Environmental Affairs for AMAX, Inc. Attorney. Serves as Chairman of the Colorado Mining Association and as Chairman of the American Mining Association's Public Lands Committee. Director of the Colorado Association of Commerce and Industry. Member of the Colorado and American Bar Associations. Former Administrative Assistant to Colorado Congressman Donald Brotzman.

Paula P. Easley -- Anchorage, Alaska. Executive Director, Resource Development Council for Alaska, Inc., a private economic development organization representing business, labor, trade associations, chambers of commerce, native corporations and municipalities. Manages Alaska Liaison Office of the Pacific Legal Foundation. Chairman of Alaska Resource Policy Coalition. Former business services consultant. Previously with Alaska Business Council, promoting Alaskan tourism. Member: U.S. Department of Commerce District Export Council, National Advisory Board of American Land Alliance, and Northwest & Alaska Mining Association.

Howard (Bud) Eppers, Jr. -- Roswell, New Mexico. Rancher. President of Southeastern New Mexico Grazing Association. Chairman of the Public Lands Committee and Board of Directors Member, New Mexico Wool Growers Association. Vice President and Chairman of the Public Lands Committee, New Mexico Cattle Growers Association. President of the New Mexico Public Lands Council. Serves as First Vice President and New Mexico Representative to the National Public Land Council. Vice Chairman of National Cattlemen's Association's Public Land Committee. Member of BLM's Roswell District Advisory Council and former Chairman of BLM's Roswell District Grazing Advisory Board.

Robert L. Flournoy -- Likely, California. President of ranching operation. Director, and Member of Public Lands Committee, National Cattlemen's Association. Past President, and Public Lands Committee Director, California Cattlemen's Association. Serves as Member of California State Board of Forestry, and as Chairman of Modoc County Forestry Board. Presently Chairman, BLM's Susanville District Advisory Council, and President, Modoc Council of Natural Resources. Honored as Livestock Man of the Year (1980) by the State of California. Honorary Member, Future Farmers of America.

William Golding -- Edmonds, Washington. Businessman. Chief Executive Officer, Forest Grove Industries. Serves on Corporate Boards of: Alpac Corporation, NC Machinery Company, People's Bancorporation, and Sam Dick Industries. Attorney, and Member of the Washington State and American Bar Associations. Serves as Trustee for the Seattle Historical Society, and the Visiting Committee of the University of Washington Law School. Previously a Trustee of the Epiphany Day School, Lake School (President), Seattle Symphony, and the YMCA. Author: WHAT IT TAKES, G.P. Putnam & Sons.

Lawrence J. Kelley -- Houston, Texas. Chairman of the Board, SUPRA Corporation, oil and gas exploration firm. Serves as Board Member of: Digicon Corporation, an international seismic company; International System and Controls; Yukon-Pacific Corporation; Medical Arts Foundation; and Rancheros Visitadores. Member of the President's Task Force on International Private Enterprise. Past President of the Houston Club and Tejas Vaqueros.

Cecil Miller, Jr. -- Tolleson, Arizona. President, and Board of Directors Member, Arizona Farm Bureau Federation. Member, Board of Directors, and former Vice President, American Farm Bureau Federation. President of the Western Agricultural Insurance Company, Arizona Farm Bureau Marketing Association, and Farm Bureau Service Company of Arizona. Serves as Board Member of the Central Arizona Project, Water and Man, Inc., and Mountain States Legal Foundation. Advisory Member of the National Cotton Council, Arizona Cotton Growers Association, and Governor's Groundwater Management Advisory Group. Former Board Member and Executive Committee Member, American Farm Bureau Service Company and American Agricultural Marketing Association.

Eddie Moore -- Douglas, Wyoming. President of Ogalalla Ranch Company and General Partner of Ogalalla Land Ltd. Member of the Wyoming State Senate for 12 years. President, First National Bank of Douglas. Past President, Wyoming Wool Growers Association. Served previously on BLM's Casper District Grazing Advisory Board, the Wyoming State Highway Commission, and the Wyoming Wool Marketing Board.

Peter Murphy, Jr. -- Springfield, Oregon. President, the Murphy Company, a forest products firm. Serves as Director of the Oregon Forest Industries Council and the Western Forestry Center. Past Chairman of the Board, Timber Operators Council. Former Chairman, and present Council Member, Department of the Interior's Advisory Board on National Parks, Historic Sites and Monuments. Served as Director of the Oregon Logging Conference and the Pacific Logging Conference. Past Member, Oregon Dunes National Recreation Area. Serves as Oregon National Committeeman, and Executive Council Member, Republican National Committee.

Lauro J. Neri -- West Covina, California. Sales and Marketing Consultant, Regensteiner Printing Group. Founder, and former President and Chairman of the Board, Medallion Printers and Lithographers. Former Chairman of the Board for Diamond Litho Company, Sales Engineering, Inc., and F.C.C.H. Presently Commissioner of Los Angeles County's Citizens Economy and Efficiency Commision. Serves as Director of the Foundation for Effective Government and the City of Commerce Industrial Council. Vice President and Trustee, Los Amigos del Pueblo. Director and Executive Board Member, Boy Scouts of America. Member, and former Camp Director, Rancheros Visitadores.

B. Wells O'Brien -- Reno, Nevada. Senior Partner in the law firm of Woodburn, Wedge, Blakey and Jeppson. Former Senior Vice President and Chief Counsel, MCO Properties, Inc. Served previously as Vice President of the Land Trust Department, Transamerica Title Insurance Company. Admitted to practice before the Supreme Courts of Arizona, California, and Nevada and before the United States Supreme Court, United States District Courts (of Arizona and Northern California) and the United States Court of Appeals (Ninth District). Member of the American Bar Association and the State Bar Associations of Arizona, California, and Nevada. Member, Nevada Farm Bureau.

David Schaenen -- Billings, Montana. Energy and public lands consultant. Director and Montana Vice President, Independent Petroleum Association of Mountain States. Director, Executive Committee Member, and past President, Rocky Mountain Oil and Gas Association. Previously Vice President of Mule Creek Oil Company, Exploration Manager for Hancock Enterprises, and Vice President-Oil and Gas Operations for Wesco Resources, Inc. Served as Chairman of the Public Lands Committee, Independent Petroleum Association of America, and as Chairman of the Public Lands Committee, American Association of Petroleum Landmen. Past President, Montana Petroleum Association. Former member of BLM's Montana State Advisory Board and Representative to the Montana Public Lands Review Commission.

J. William Swan -- Rogerson, Idaho. Rancher. Past President, National Cattlemen's Association. Former President of the Idaho Cattlemen's Association. Served for 10 years as President of the Producers Livestock Association. Previously Director of the National Livestock and Meat Board, and a Board of Directors Member for the National Livestock Producers Association. Former Member of the Forest Service's National Forest System Advisory Committee.

Robert R. Wright -- Wells, Nevada. Rancher. Former Regional Vice President of the National Cattlemen's Association. Previously President of the Nevada Cattlemen's Association and the Nevada Land Action Association. Founding President of Wells Rural Electric Company, serving northeastern Nevada and western Utah. Served previously as a Member of BLM's Elko District Grazing Advisory Board and the Elko County Planning Commission.

AGENDA 8/6/86

Meeting of the
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
August 22 and 23, 1986

Sheraton Great Falls Hotel
400 10th Avenue South
Great Falls, Montana

Friday, August 22

8:00 a.m. Call to Order and Announcements
B. Wells O'Brien, Council Chairman
Robert F. Burford, Director, Bureau of Land Management
Dean Stepanek, Montana State Director, BLM

8:15 a.m. Assistant Secretary's Overview
J. Steven Griles, Assistant Secretary for Land and Minerals Management, Department of the Interior

8:45 a.m. Public Land Management in Montana — The State View
Dennis Hemmer, Montana State Lands Commissioner

9:15 a.m. Automated Land Information System — Status and New Directions
James Parker, Assistant Director for Support Services, BLM

9:45 a.m. Break

10:00 a.m. Threatened and Endangered Species and Public Land Management
- Background: Statutory and Regulatory Authority
- Role of Fish & Wildlife Service in Administering Threatened and Endangered Species Program
- BLM's Multiple-Use Mandate and its Administration of the Threatened and Endangered Species Act

--Bill Radtkey, Threatened & Endangered Species Program Manager, BLM
--Marvin Moriarty, Chief of Endangered Species Office, Fish and Wildlife Service
--Nancy Cotner, Great Falls Resource Area Manager, BLM

12:00 p.m. Lunch

1:00 p.m. Public Statement Period
This period provides an opportunity for members of the public to address the Council regarding national public lands issues on the meeting agenda. Speakers are asked to submit a copy of their written testimony prior to oral delivery so that the Council will be prepared to respond or answer questions. Written statements alone may also be filed with the Council. Depending on the number of people who wish to address the Council, it may be necessary to limit the length of oral presentations.

ATTACHMENT B

2:00 p.m. Council Old and New Business

a. Report on Resolutions Adopted at Gillette, Wyoming, Meeting
b. Wild Horse and Burro Advisory Board Update
c. Federal Land Withdrawals: Status of Litigation
d. Riparian Management Policy Update
e. Legislative Initiatives in the Federal Coal Program and Federal Onshore Oil and Gas Leasing Program
f. Report on President's Commission on Americans Outdoors
g. Other

2:45 p.m. Meeting of Council Subcommittees

Renewable Resources Subcommittee and Lands Subcommittee (combined)
Energy and Minerals Subcommittee

5:00 p.m. Recess until Saturday morning

Saturday, August 23

8:00 a.m. Call to Order

Announcements. Discussion of Agenda for Future Council Meetings.

8:15 a.m. Meeting of Council Subcommittees

10:30 a.m. Report from Subcommittees to Full Council: Consideration of Council Resolutions

12:00 p.m. Adjourn

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Supplemental Information: The August 22-23 Council meeting will be preceded by a field tour on August 21 of BLM-managed lands in Montana.

Issues for Subcommittee Discussions

Renewable Resources Subcommitee and Lands Subcommittee (combined)

- Threatened and Endangered Species and Public Land Management
- Riparian Area Management Policy

Energy and Minerals Subcommittee

- Legislative Initiatives in Federal Onshore Oil and Gas Leasing Program and Federal Coal Program

August 21 Council Field Tour

The Council's day-long field tour of the Rocky Mountain Front was organized and hosted by BLM's Lewistown District Office. En route from Great Falls to the Front, District Manager Wayne Zinne provided an overview of the tour area, explaining that it has high potential for oil and gas development, contains prime grizzly bear habitat and has portions under consideration for wilderness designation. He discussed the management conflicts and challenges which result from such competing uses and a multi-ownership land pattern.

Kerry Constan, representing Montana's Department of Fish, Wildlife and Parks, next discussed the Freezeout Wildlife Management Area, a successful staging area for snow geese which also contains grizzlies. He explained that it has been necessary to trap and transplant the bears because of management conflicts with domestic animals in the area.

Nancy Cotner, BLM's Great Falls Resource Area Manager, provided an overview of the multiple-use activities that occur in her Resource Area. She explained that the Area covers 8 counties and includes 100,000 surface and 600,000 subsurface acres. Although oil/gas and mineral development are the largest programs in the Resource Area, there is also great attention given to recreation and to wildlife habitat needs. Two complicating factors in managing the area are the intermingled land ownership, which mandates interagency coordination and cooperation, and the four threatened and endangered species that exist in the area, requiring special management initiatives to try and "delist" the species. The latter includes preparing detailed biological assessments before issuing any oil or gas leases in the area.

Chuck Laakso, a BLM petroleum engineer, next provided the history of oil and gas development in Montana's Overthrust and noted that there is estimated to be between 1.8 and 25 trillion cubic feet of gas in the area. He explained that drilling is often difficult because of the complex geology and that it takes longer to drill than most other areas.

Gary Slagel, a BLM environment/land use specialist, next discussed the four threatened and endangered species that exist in the Overthrust area -- the peregrine falcon, bald eagle, grey wolf, and grizzly bear -- and how State and Federal agencies coordinate to handle oil and gas leasing proposals. He said that this includes a pre-drilling inspection with the surface owner to look at possible mitigation measures and a biological evaluation to determine adverse affects on threatened and endangered species. The ultimate decision comes from the Fish and Wildlife Service in the form of a "jeopardy" or "non-jeopardy" opinion, with recommendations for modification. Ms. Cotner noted that to date, no oil/gas permit has been denied in the area.

The members next viewed the Superior I-8 producing well, where Mr. Laakso discussed the operations at the site and noted that I-8 and the nearby I-5 well jointly provided 4 percent of all the gas (from gas wells) in Montana per year. Mr. Slagel also discussed the National Environmental Policy

ATTACHMENT C

Act documentation that had been done for the well and the subsequent finding that there would be no adverse impacts on the grizzlies in the area.

The next stop on the tour was at Superior's I-19 shut-in well, which now has nesting raptors at the site. It was also discussed as an area that is prime for grizzly habitat and is under consideration for wilderness.

Arriving at the 7 Lazy P Ranch, members had lunch and heard presentations from various State and Federal agency representatives. Mr. Constan, from Montana's Fish, Widlife and Parks Department, discussed the guidelines that his Department had developed to help land managers in their land use decisions and lessen the impacts of oil and gas development on wildlife. He said that the interagency system was working, and that it was his firm opinion that oil and gas development and wildlife were compatible. Jerry Reese from the U.S. Forest Service discussed management of the Lewis and Clark National Forest and noted that private and interagency cooperation is critical in land use planning decisions.

En route from the ranch to Great Falls, the members made a final stop at the Pine Butte Swamp, an important grizzly bear habitat area that is also a prime area for oil and gas development. It was explained that an Environmental Impact Statement will be prepared to analyze any adverse impacts and to determine mitigating steps that may be needed.

This concluded the Council field tour, and the members returned to Great Falls, where they would begin their formal meeting sessions the following morning.

CHEVRON U.S.A. INC. STATEMENT
BEFORE THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL
August 1986

My name is Lisa Flesche. As a member of the oil and gas industry, Chevron is concerned about how the federal government provides and constrains access to public lands for the exploration and development of energy resources. Accordingly, I would like to discuss several issues that are threatening the oil and gas industry's access to federal lands.

For generations federal lands have been managed for "conservation" purposes. This historic approach meant that the resources on and under these public lands were used in an orderly, expert, and efficient manner that would not leave them damaged or depleted. The term "conservation" was coined by Gifford Pinchot, first chief of the U.S. Forest Service to mean "wise use of resources." Central to this conservation ethic is the concept of "multiple-use." Multiple use includes logging, mineral development, grazing, recreation, watershed management, and wildlife protection -- so there are competing choices. In evaluating these public resources, the stewards of the public lands reconcile what uses are in the best public interest. Since the 1960's, however, with the advent of the highly politicized environmental movement, these choices have been narrowed. Emphasis on "conservation" or "multiple use" has gradually come to mean protection, or "preservation" -- a critical distinction. Preservation of aesthetic natural qualities is certainly one of the multiple uses of public lands. Ecological preserves, untouched by man, are an important scientific and national heritage. This was the major thrust of the 1964 Wilderness Act, which established 9 million acres of wilderness.

The goal of the 1964 act was to eventually preserve 15-16 million acres of federal land as wilderness. The same act also called for mineral surveys of the set-asides on a planned, recurring basis. Since the passage of the Wilderness Act, however, mineral location has been severely restricted, logging is prohibited, and grazing rights are extremely constrained. Additionally, over the past two decades the National Wilderness Preservation System (NWPS) has grown from 9 million to nearly 89 million acres. Currently, almost 300 million acres of public lands are closed to mineral development. This increasing proportion of the federal land base being designated or studied for wilderness preservation ignores the multiple-use ethic, and threatens to choke off economically and environmentally sound land development.

Chevron believes that no public lands should be closed or restricted from resource development and non-wilderness multiple uses in the absence of compelling national interests which override the need for adequate domestic oil and natural gas, coal, water, agricultural products, minerals, timber, and other valuable resources. All areas considered for wilderness should have a thorough resource and other use evaluation, and where such potential for resource development is significant, such areas should be held open for public, multiple uses. And areas which are pristine, and have purely wilderness values, should, however, allow

ATTACHMENT D

for access to otherwise land-locked areas having multiple-use potential. Current land use policies pose a significant problem for the petroleum industry. Governments at all levels are active in restricting access to land and in imposing stringent permitting procedures for accessible lands. Virtually nothing is known about the mineral and oil and gas potential of the nearly 300 million acres of public lands already withdrawn from multiple use. Withdrawal of these areas prohibits geophysical and geological surveys and exploratory drilling. These withdrawals limit domestic petroleum and natural gas availability. The loss of future domestic production will increase the nation's reliance on imports and its vulnerability to disruptions in foreign supplies.

I want to emphasize that lands don't have to be withdrawn for wilderness designation in order to protect sensitive environments. Chevron believes that federal agencies have the power to fully protect the environment, including threatened and endangered plants and wildlife, through the application of current leasing and operating stipulations and regulations. Because lands are not designated wilderness does not mean that the federal government lacks the authority to enforce environmental protection standards. Federal laws such as the Clean Water Act, Clean Air Act, Resource Conservation and Recovery Act, Federal Land Policy and Management Act, Endangered Species Act, and the National Environmental Policy Act clearly provide superlative protection for all surface resources.

Industry has long maintained that oil and gas activities are entirely compatible with sensitive environments and wilderness values. The recent passage of the Wyoming Wilderness Act has proven that oil and gas activity does not preclude later designation of an area as wilderness. Years ago two wells were drilled in a "roadless area" (Sec. 22, T39N, R11W) of the Bridger Teton National Forest. These wells were accessed by newly constructed roads and were later plugged and abandoned and the area reclaimed. This reclaimed area is now a portion of the 228,000 acre Gros Ventre Wilderness Area established in 1984 by the Wyoming Wilderness Act.

Another example of the oil industry's compatibility is Chevron's Red Wash Unit located in Utah's arid Uinta County. There are no streams in the vicinity, so antelope and deer depend largely upon water trapped in natural or man-made ponds, where it accumulates from spring snow melt or rain. Many of these ponds dry up during the hot summer months. As part of a secondary recovery project, Chevron pumps fresh water from the Green River to the Red Wash Field for injection. Two stock watering ponds are provided for winter range animals with water supplied by the company. These ponds also are used by a variety of wild animals. A third pond was built in another part of the field just for wildlife -- particularly for deer and antelope. Water levels in all three ponds are maintained during the summer months when natural supplies dry up.

Oil and gas exploration and production are, at most, a temporary imposition on the environment. In many cases, this involves only the taking of seismic surveys. If no exploratory drilling is indicated by analyses of the data, the impact ceases with the removal of the equipment. Even where a well, or a series of wells, is drilled and commercial production

obtained, once that production is no longer economical, the wells are sealed, equipment and debris removed, reclamation measures taken and the lands restored to their original status.

This is not to suggest that petroleum exploration and production activities on federal -- or private -- lands can be accomplished with zero effect on the environment. But the evidence clearly demonstrates that exploration for and development and production of America's crude oil and natural gas resources are being done compatibly with the environment. There is no need for moratoria, mass withdrawals of uninventoried lands or unwarranted restrictions on exploration and production. The environmental regulations and controls now in place and the advanced technology available and in use assure that the environment will be protected during oil and gas operations on federal lands.

I'd now like to address some concerns Chevron has with the Endangered Species Act. Chevron is concerned about the developing trend we're seeing whereby in order to comply with the Endangered Species Act, the USF&WS require that certain wildlife studies be completed. The problem that this requirement presents is that the BLM and the Forest Service are both having to operate on ever-decreasing budgets. Therefore, the federal agency turns to the oil and gas company that is requesting approval of an Application for Permit to Drill and announces that unless the company is able to finance the USF&WS' required endangered or threatened species study, the agency doesn't know when it will have the financial resources or the manpower to complete such study. Chevron is currently experiencing this very series of events in the Lewis and Clark National Forest here in Montana. Chevron filed an APD last November for a single exploratory well. We paid the $30,000 required for a preliminary wildlife study. We're paying the $100,000 for the grizzly bear cumulative effects model required by the USF&WS. The question is: Why should industry have to pay for these studies because the federal government doesn't choose to allocate enough funds for this purpose? How can the BLM expect that its lands are truly open for exploration and that it <u>is</u> fulfilling its mandate to encourage oil and gas exploration and development when industry is put in the position that it must pay for the wildlife studies if it wants a decision on its APD within the next year or two? Not too many oil and gas operators could pay $130,000 for the wildlife studies for a 1-well wildcat proposal. Chevron is concerned that many federal oil and gas prospects will not be explored unless the federal government is willing to shoulder the economic burdens associated with USF&WS-mandated studies.

A second concern relating to the Endangered Species Act has to do with the grizzly bear hunting season that is permitted in Northwestern Montana. As I mentioned before, Chevron has a pending APD for an exploratory well on the Lewis and Clark National Forest and we have agreed to pay $100,000 for a USF&WS-required grizzly bear study. The purpose of this study is to ensure that the activities related to our exploratory well shall not "jeopardize the continued existence of the species." Chevron does not believe that it is consistent or logical of the federal government to permit the State to continue its grizzly bear hunting season on the <u>very same</u> land on which Chevron is paying $100,000 for a grizzly study so as to ensure that Chevron's actions do not jeopardize "the continued existence of the species."

Thank you for this opportunity to comment.

MONTANA PUBLIC LANDS COUNCIL

P. O. BOX 1679 — HELENA, MONTANA 59624

Phone (406) 442-3420

JAMES E. COURTNEY ..... ALZADA ..... CHAIRMAN
RUSSELL UNRUH ..... CHINOOK ..... VICE CHAIRMAN
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TESTIMONY TO THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL

August 22, 1986

Great Falls, Montana

My name is Jim Courtney and I am here today representing the Montana Public Lands Council and the National Cattlemen's Association.

The area of concern I would like to address today is the background and qualifications of range technicians in the Bureau of Land Management and the U.S. Forest Service.

I have a fear that, as the numbers of agriculturaly backgrounded employees in the BLM decline, that their input to the overall process will decline as well. Your administrators should weigh heavily the views of these people in developing Bureau programs in order for your program to be both practical and effective.

I don't think I need to tell you that those of us who graze on public lands have used every tool available to hold our ranches together. Drought, grasshoppers, blizzards and poor prices are just a few of the obstacles we have to deal with, let alone having to take the time out to educate an inexperienced range con who may not be able to tell a young heifer from a steer.

No two years are the same in the rangeland of western United States. Therefore, people with practical knowledge and/or the ability to deal with many different range situations are essential. Range

-more-

cons must have and should be given the responsibility to consult and coordinate with ranchers who have lived and worked the land all their lives.

The western ranching community has been the biggest factor in improving public lands by practicing good stewardship and taking care of something that they must utilize year after year. For example, it wasn't very long ago when wildlife numbers were limited in the western United States. Compare that to nowdays where you see an abundance amount of elk, deer, and other wildlife living and cohabiting quite well with domestic livestock. Much of this change has come about as a result of private landowners spending their own money on federal range projects. These projects have greatly helped to improve the land for multiple use.

As a representative of the Montana Public Lands Council and National Cattlemen's Association, I would like to urge that federal land agencies give strong consideration to not overlook range technicians who have a qualified range background. Responsibilities of range technicians are tremendous. Our future as livestock operators who graze western public lands greatly depends on sound management which looks at all lands and not at some isolated gumbo butte.

I would like to thank the members of the National Public Lands Advisory Council for coming to Montana and would offer our assistance and cooperation to help better public lands management.

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MONTANA PETROLEUM ASSOCIATION
A Division of the
Rocky Mountain Oil and Gas Association

Janelle K. Fallan
Executive Director

Helena Office
2030 11th Avenue, Suite 23
Helena, Montana 59601
(406) 442-7582

Billings Office
The Grand Building, Suite 501
P.O. Box 1398
Billings, Montana 59103
(406) 252-3871

National Public Lands Advisory Council
August 22, 1986
Great Falls, Montana

Statement of Janelle Fallan
Executive Director, Montana Petroleum Association

Access to public lands is a major concern of the Montana Petroleum Association. Therefore, we were particularly pleased to see the results, early in 1986, of a survey commissioned by the Western Environmental Trade Association and conducted by the Bureau of Business and Economic Research late last year.

Located on the University of Montana campus at Missoula, the Bureau has pursued research in business and economics for more than thirty years. Its purpose is to serve the general public, as well as business, labor and government, by providing an understanding of the economic environment in which Montanans live and work. The Bureau also enjoys an excellent reputation for serious, unbiased work.

In general, the survey showed considerable public support for developing Montana's natural resources. Nine respondents in ten said they considered natural resource development in general at least fairly essential to the state's economic health. Six in ten labeled it "very essential."

A significant number of Montanans appear to lack information about natural resource industries. When asked about the pace of development, the health of the industries, overall impressions, and industry citizenship, it was not unusual for as many as one-fifth to one-third of those questioned to say they could not answer.

However, Montanans across the board agreed on the importance of resource development. Those who described themselves as active environmentalists or sympathetic toward the environmental movement were only slightly less inclined than others to describe resource development as very essential, while those unsympathetic to the movement were the most likely to do so. Respondents from households with low incomes (under $15,000) and higher incomes (over $35,000) were somewhat more likely to regard development as very essential than those in the middle brackets.

Only a few respondents suggested voluntarily that resource development conflicted with outdoor recreation. When asked specifically about their compatibility, just one in four said there is conflict between the two. Six in ten said development has little or no effect on outdoor recreation.

The overall impression of oil and gas was 72 per cent favorable; 16 per cent unfavorable.

Nearly all Montanans see the oil and gas industry as at least somewhat essential to the state's economic health. More than half (52 per cent) endorsed it as very essential, and another 36 per cent said it is fairly essential (table IV.1).

The strongest endorsement came from those unsympathetic to the environmental movement, with 68 per cent labeling it "very essential." Residents of the eastern Congressional District were much more likely than western Montanans to describe it as very essential to the economic health of the state, not surprising considering the greater presence of oil and gas development east of the Divide.

Also, older Montanans and those with no college were much more likely than their counterparts (Montanans younger than forty-five and those with some college or more, respectively) to consider oil and gas development as very essential.

Environmental "nonsympathizers" were the most likely to describe the current pace of oil and gas development in Montana as too slow (about six in ten). To a lesser degree, eastern Montanans and older Montanans (forty-five and older) were also more likely to consider the current pace as too slow.

The few individuals who said the pace is too fast usually mentioned environmental damage or resource depletion in explaining their opinion.

When Montanans were asked what about the oil and gas industry is good or beneficial, over half mentioned jobs, benefits to the state and local economy, or tax revenue. Others said the industry provides needed products and contributes to the self-sufficiency of Montana and the United States. Over one-fifth of the respondents couldn't answer, but very few said there is nothing good or beneficial about the industry.

About two-thirds of adult Montanans (64 per cent) would allow oil and gas development on lands adjacent to wilderness areas; one-third disagreed (table IV.6). But slightly fewer -- 56 per cent -- approved development adjacent to national parks. Forty-two per cent of the survey respondents said it should be prohibited (table IV.7). When asked about other government land

not in wilderness areas or national parks, nearly everyone (83 per cent) said development should be allowed there, while only 12 per cent were opposed (table IV.8).

It would be interesting to this group to know that the highest preponderance supporting the environmental movement was government employees. Those people in the petroleum industry who work with government agencies were not surprised at this result.

Public comment periods, whether written or at meetings, usually attract those with the most passionate feelings about a development. We have long suspected that many Montanans who care about jobs, who would like to see development, are not as likely to appear or send written comments. This survey gathered responses from a scientific selection of adult Montanans. We therefore believe it to be a fairly accurate representation of their feelings.

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8/22/86

TESTIMONY PRESENTED ON BEHALF OF
THE WESTERN ENVIRONMENTAL TRADE ASSOCIATION
BEFORE THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL
BY MIKE MICONE EXECUTIVE DIRECTORR

The Western Environmental Trade Association appreciates the opportunity to appear before you to present our views on public lands issues, particularly how they relate to Montana.

WETA is a coalition organized for the purpose of promoting employment and economic opportunities in a manner consistent with the protection of our physical environment. This coalition is supported by members from agriculture, labor, recreation, business and industry, as well as individuals and other associations.

We have a fundamental concern with the management of public lands in the West which seeks increases in the amount and nature of the lands classified as single purpose use, rather than a utilization of the multiple use concept which has characterized the approach to western lands for over one hundred years.

Montana possesses abundant opportunities for resource development, coupled with the natural beauty of our state that has the potential for attracting large numbers of non-resident visitors. We are blessed with lands rich with energy and non-energy mineral resources, rich with prime commercial timber, and rich with a variety of wildlife that enhances our recreational opportunities, particularly on federally managed lands.

Yet the recent trend in the treatment of such public lands has been away from the century old tradition whereby preservation, grazing, wildlife, recreation, watershed protection, mining, forestry, and many other specialized uses blended together under one management system known as "multiple use". This multiple use approach places the initiative upon the private citizen to develop the riches of our nation's public lands and providing a rich natural resource base upon which America has grown and became the defender of the free world.

Today, however, a large percentage of the public lands- lands which comprise one third of the nation - are unavailable to exploration and development. Some 23 million acres of Bureau of Land Management land, land traditionally thought to represent the epitome of multiple use lands, is today restricted while being studied for classification as wilderness areas.

As a nation, as western states, and cities and countries, which depend, for our economic well-being upon the development of our natural resources, we simply cannot affort to say that a particular part of the public land has no potential and thus be declared off limits to the multiple uses which enrich us all.

Montana's economy is dependent and will continue to be highly dependent on the natural resource industries that include metal and nonmetals mining, coal production, oil and gas production, wood products and agriculture.

Yet resource development has been debated for years in

Montana. But public debate does not necessarily represent a sampling of overall public opinion. Because of this, our board of directors commissioned the University of Montana, Bureau of Business and Economic Research, to conduct a statewide survey of Montana residents seeking their opinions on resource development.

Among a number of issues addressed was the location of development. When asked if resource development activities should or should not be allowed on public lands, the response was overwhelming. 78% as a low for coal mining to 85% for timber harvesting believed that development should be allowed on public lands. 70% believed timber should be harvested adjacent to wilderness areas down to 51% allowing coal production. A lesser number believed activities should occur next to national parks; but even then 60% of the respondents believe timber harvesting should occur.

When asked specifically the effect natural resource development had on outdoor recreation, 62% stated it had little or not effect.

Finally, jobs was the primary advantage associated with natural resource development.

It is obvious that the people of Montana believe that utilizing the public lands to the full extent possible, rather than a single use, is the most effective manner in which to manage the lands. Further, it is obvious that Montanans want to maintain the quality of life that we enjoy in our state. But they also believe that it is essential that they work to enjoy this quality of life.

The results of this survey correlate to a poll conducted in 1982 which questioned Montana citizens regarding the amount of wilderness land in Montana. 60% stated that there is an adequate amount of wilderness, 25% favored adding more, and about 10% said there is presently too much wilderness. 70-75% of the respondents believed our state had either an adequate amount or too much land designated as wilderness.

Montana currently has 3.2 million acres of designated wilderness areas. Another 1.1 million acres of Forest Service land is being considered for wilderness. An additional 400,000 acres are being studied by the Bureau of Land Management for wilderness. Thus nearly 5 million acres are being treated as wilderness where multiple use is prohibitied.

This is not to mention the severe restrictions being imposed on the use of public lands for the sake of threatened and endangered species. Many prominent sources, including the Montana Fish, Wildlife and Parks Department believe that the grizzly bear along the Rocky Mountain Front should be removed from the list of threatened and endangered species and managed as a game animal. But the bear continue to receive high threatened visibility from federal agencies.

And while these debates have continued, we have seen no federal leadership to resolving these issues and getting on with the business of managing our public land.

The vast majority of public lands may never be mined or the trees harvested. Yet its availability for the future is essential. And while the land remains open for multiple use

purposes, it is protected by the land management practices of the Bureau of Land Management and the United States Forest Service. The risk lies not with the retention of the maximum amount of land in multiple use classification, but with an expansion of single purpose use which risks the loss to the American public of unique, valuable, and irreplacable resources.

Mr. Chairman, and members of the Council, I would urge tht you, in the strongest voice possible, insist that agencies within the Department of Interior and the Department of Agriculture, to expedite their efforts in resolving these pressing issues either by administrative or legislative action.

Finally, Montanans are justifiably proud of the open spaces, natural beauty, and clean air and water that gives the quality of life in this state a special dimension. We all want to maintain this quality of life but it is essential that we evaluate the social costs to be sure that employment opportunities for the people of the state are not nullified by excessive controls and delays.

THE PUBLIC PERCEPTION

- Resource industries are important to the economic health of the state.
- Few Montanans view the state's resource industries as thriving and successful.
- Almost no one sees the current pace or level of development as too fast or too high.
- Overall impressions of the industries are favorable, but marks for responsible citizenship are somewhat lower.
- Development adjacent to wilderness is more acceptable than that near national parks, and few object to development on other government lands.
- Substantial numbers of Montanans lack awareness about the state's resource industries.

Table 1
Montanans' Assessment of Natural Resource Development in the State

	Natural Resource Development In General	Lumber and Wood Products Manufacturing	Oil and Gas Production	Coal Mining	Hard Rock Mining
Importance to the state's future economic health					
Very essential	64%	63%	52%	45%	28%
Fairly essential	29%	30%	36%	39%	41%
Not too essential or not essential at all	4%	4%	9%	10%	22%
Don't know	2%	4%	3%	6%	9%
Current pace or level of development					
Too fast or too high	7%	8%	5%	6%	2%
About right	46%	44%	42%	51%	32%
Too slow or too low	35%	33%	37%	20%	31%
Don't know	10%	14%	15%	23%	35%

Source: University of Montana, Bureau of Business and Economic Research, *Natural Resource Development in Montana: A Survey of Montana Public Opinion* (Missoula, Montana, 1986) for the Western Environmental Trade Association, Helena, Montana.
Note: The percentage detail may not add to 100 because of rounding.

Table 2
Montanans' Impressions of Resource Industries in the State

	Lumber and Wood Products	Oil and Gas	Coal Mining	Hard Rock Mining
Current health of the industry				
Thriving and successful	14%	20%	24%	3%
Static: Not thriving or declining	42%	46%	45%	31%
Unhealthy and declining	37%	20%	14%	42%
Don't know	8%	13%	16%	23%
Overall impression of the industry				
Favorable	78%	72%	63%	51%
Unfavorable	11%	18%	21%	23%
Don't know	11%	12%	16%	26%
Performance as a responsible citizen of the state				
Excellent	6%	5%	5%	3%
Pretty good	47%	38%	34%	22%
Only fair	29%	30%	29%	28%
Poor	4%	8%	10%	12%
Don't know	14%	19%	22%	34%

Source: University of Montana, Bureau of Business and Economic Research, *Natural Resource Development in Montana: A Survey of Montana Public Opinion* (Missoula, Montana, 1986) for the Western Environmental Trade Association, Helena, Montana.

Note: The percentage detail may not add to 100 because of rounding.

Table 3
Montanans' Attitudes regarding the Location of Natural Resource Development Activity

	Timber Cutting	Oil and Gas Extraction	Coal Mining	Hard Rock Mining
Adjacent to wilderness areas				
Should allow	70%	64%	51%	55%
Should prohibit	28%	33%	45%	39%
Don't know	2%	3%	3%	7%
Adjacent to national parks				
Should allow	60%	56%	43%	45%
Should prohibit	38%	42%	54%	49%
Don't know	2%	2%	4%	6%
On other government lands[a]				
Should allow	85%	83%	78%	79%
Should prohibit	11%	12%	17%	15%
Don't know	3%	4%	5%	6%

Source: University of Montana, Bureau of Business and Economic Research, *Natural Resource Development in Montana: A Survey of Montana Public Opinion* (Missoula, Montana, 1986) for the Western Environmental Trade Association, Helena, Montana.

Notes: The "Allow" and "Prohibit" categories each include some who gave those responses but with some qualification of their response. Percentage detail may not add to 100 because of rounding.

[a]Government lands other than those in wilderness areas and national parks.

STATEMENT OF JAMES PHELPS, MONTANA AUDUBON COUNCIL, at the meeting of the NATIONAL PUBLIC LANDS ADVISORY COUNCIL, August 22, 1986, Great Falls

My name is James Phelps. I am Past President, Montana Audubon Council, and presently am the Public Lands Chair for the Council. The nine Audubon chapters in the state make up the Council; these in turn are member chapters of the National Audubon Council. Our membership in Montana is more than 4,000.

A dominant theme of this meeting has to do with "Threatened and Endangered Species and Public Land Management." We heard the background of the statutory and regulatory authority pertaining to the subject. We learned of the role of the Fish and Wildlife Service in administering the program. A panel of those directly involved told us of the "BLM's Multiple-Use Mandate and its Administration of the Threatened and Endangered Species Act."

This is all good. The "Threatened and Endangered Species Act" is one of the most important environmental laws of this century. By and large it is being administered wisely and well by all who have to do with it. We do, however, find ourselves puzzled at the apparant cross-purposes of the BLM. We find the agency reducing its committment; it is reducing or eliminating wildlife biologist positions throughout, including the Districts and Resource Areas. The other disciplines, those involved with range management, are not suffering the same reductions or if they are it is to a much less extent.

Newspapers this week state we added 1.6 million people to the country in 1985 and we now number 240.5 million, give or take a few thousand. But no more land. The public lands will be called upon to supply more and more "recreation" and, one way or another on our public lands, recreation goes hand in hand with wildlife. Our citizens will spend good money in these activities; the economic benefits will accrue to those businesses and communities adjacent to the resouces.

The wildlife biologist finds more to do and less to do it with. He/she may be working with fisheries one day, nongame wildlife the next, or trying to set out the necessary answers to the workers in the other fields the next day. The BLM's riparian management policy, a good one from all reports, and long overdue, needs the attention of the wildlife biologist, too. You cannot do more with less, and these reductions in the numbers of those working with wildlife only emphasizes in the public mind that the BLM remains a "cow outfit." Too, because of force reductions, opportunities for new people are extremely limited, and new thoughts and ideas have no chance to be heard.

We agree with the idea of having the National Public Lands Advisory Council, and the district councils as well. We encourage the continued broad base of citizen representation on these councils. The demands placed upon the resources administered by the agency can only increase. A council having true representation from a wide spectrum of the citzenry provides a valuable source of information. Problems will never go away, only change in form; the eyes and ears of the many councils will be ignored by the agency at its own peril, and we don't believe such will occur.

Section 201(a) of the Federal Land Policy and Management Act of 1976 (FLPMA) seems to us to be a rather strong committment when it instructs (that the agency, to whom the powers are delegated by the Secretary of the Interior) " * * * shall prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values (including, but not limited to, outdoor recreation and scenic values), giving priority to areas of critical environmental concern. * * * " Further, the inventory shall be kept current, thus reflecting changes in conditions, and shall serve to identify new and emerging resource and other values.

Passage of FLPMA took many years; six years went by after the 1970 Report to the President and the Congress by the Public Land Law Review Commission. Congress, in passing the Act, recognized that within the natural diversity of the public lands there are many areas that have special qualities--so special, in fact, that these must be identified, mapped, and managed in ways that will protect their unusual qualities. The committment is reinforced where the Act states (Sec. 202(a): "In the development and revision of land use plans, the Secretary shall--(3) give priority to the designation and protection of areas of critical environmental concern * * * "

Action in carrying out ("implementation") of this clear-cut policy directive by Congress has been varied and uneven throughout the BLM. In California--aided without doubt by Sec. 601 of FLPMA--designated were 75 ACECs totaling 655,000 acres. These are in the California Desert Conservation Area (CDCA) so heavily used for recreation by southern California's urban millions. Other than Oregon, the remaining western states have made very limited use of the concept. Until recently in Montana we had but one ACEC, the Sleeping Giant area in the vicinity of Helena. In May 1986 the Garnet Resource Area RMP designated as ACEC "a unique geologic feature, consisting of 20 acres of an exposed limestone formation * * * " (page 7 of the plan) We gather that the attitude of the Montana BLM office is "conservative." It is very true that other avenues of protection are available, such as designating "outstanding natural areas" or "primitive areas." Several ONAs were set aside in the Headwaters Resource Area RMP. The same Garnet plan has restrictions on vehicle access in certain areas and protection for riparian habitat receives emphasis.

Thus, we have some hope. The point we wish to make is this: Urge and encourage the agency to protect to the extent necessary its lands, keeping in mind its "multiple-use" mandate. "Multiple-use" is a very easy term to use; carrying out all that it implies is something else again!

Returning to the "Threatened and Endangered Species Act," the drastic action needed in the attempt to save the black-footed ferret is not necessary with, say, the wolf. The wolf was formerly a part of the ecosystem, and still remains in considerable numbers to the north of us. We ought to be able to have it in the 3 areas recommended by the wolf recovery plan. However, once reestablished, the Act should not be an excuse to be inflexible. We should expand the management options; once the population reaches the "viable population" goal established "down-listing" can occur. Besides the publicized species of concern such as the "threatened" grizzly bear, the BLM hosts the piping plover, the mountain plover, and the long-billed curlew; one of these, the piping plover has been designated "threatened."

F. H. STOLTZE LAND & LUMBER CO.

Lumber Manufacturers

Box 1429 . COLUMBIA FALLS, MONTANA 5991

August 21, 1986

National Public Lands Advisory Council
Bureau of Land Management
18th and C Street NW
Washington, D. C. 20240

Dear Sirs:

My name is Larry B. Blasing. I am with F. H. Stoltze Land and Lumber Company with sawmills in Dillon, Darby and Columbia Falls. My statement is also supported by the Montana Eastside Forest Practices Committee, Louisiana-Pacific Corporation in Deer Lodge, Eagle Stud Mill in Hall, and Missoula White Pine Sash in Missoula.

When the Department of Interior Submitted their appropriations budget to Congress they cut out the Bureau of Land Management timber sale program for Montana and some of the other western states. It is our understanding the reason for this deletion was that the BLM timber sale program for Montana was considered to be below cost. After checking in to the costs and benefits of their timber sale program, we find that this is categorically untrue.

By most standards the timber sale program for the Bureau of Land Management in Montana is relatively small. It does contribute to the overall timber supply for the companies that are operating in Montana and for some companies such as our mill in Dillon, the BLM program may be necessary to insure survival of the mill.

With all sources considered we can project that there will be insufficient timber in southwest Montana to keep all of the companies operating at their present level. Each of the national forests is preparing a forest plan that projects a reduction in timber sales from national forest lands. If the BLM timber sale program is eliminated the raw material shortage will be even greater. Our Dillon mill currently uses 26 MMBF annually. The final Beaverhead forest plan (which we have appealed) projects a timber sale program of 17.3 MMBF annually. It is highly unlikely that Stoltze could purchase all of the volume offered by the Beaverhead National Forest. It is also highly unlikely that we could go to other national forests and purchase sufficient volume to make up the additional volume that we will need. Even though the Bureau of Land Management timber sale program in the Dillon area only amounts to about 2.5 MMBF, it is critical to our company that this program be retained or increased.

We were told that the Interior Department's decision was based on a comparison on stumpage receipts to the total cost of the BLM timber sale program for the state. This is not a valid comparison in that the BLM receives other assets from its timber sale program other than cash receipts for stumpage. As an example, the total Montana BLM timber sale program costs the U. S. government about $400,000. In 1985 the Butte District of the BLM received approximately $215,000 in stumpage plus an additional $482,000 for capital improvements largely in the form of roads. They also received an additional $41,000 in other deposits that are returned to the land in the form of moneys earmarked for reforestation, cultural forestry practices and other programs. Since all of these numbers are additive, the U. S. government received approximately $738,000 in cash, or asset value. Any time you spend $400,000 and get $738,000 back in value the program cannot be considered below cost.

There are several reasons why the BLM has not received more cash value for their timber sales.

1. The BLM has concentrated timber sales in areas where they have needed to develop initial access in order to manage the land. In these instances the government received assets in the form of roads as opposed to cash for stumpage. Had they concentrated their timber sale program in areas that were already roaded they would have received much higher cash value for their timber sales.

2. The BLM has not received all of the value from its investment in its timber program. The Butte district currently has 19.5 MMBF of timber under contract with a stumpage value of $458,000 that is yet to be received. In addition, 9 MMBF of timber sales have been prepared for sale in the next fiscal year. Most all of the work has been done and the only thing remaining is to sell the timber and receive the return on their investment.

3. Stumpage receipts for timber are often times lower because of the costs associated with maintenance or enhancement of other resource values. As an example, a timber sale may have special concessions for wildlife, scenery, or other resource values built into the timber sales that reduce the cash value of the timber resource. If the BLM properly accounted for these costs, rates received for stumpage would be substantially higher.

4. In order to maintain continuity in employment of personnel, work is often traded between functions. As an example, if a landscape architect is only budgeted for eight months out of the year, he may spend the other four months helping to prepare timber sales. This is a hardship on the timber sale budget, in that the landscape architect may be paid at a GS-11 rate, when in fact he is performing timber sale work that should be performed by a GS-4. This causes the cost of the timber sale program to be unnecessary inflated.

As you can see there are numerous opportunities to develop lower costs in the timber sale program, if that is to be the controlling factor. If long term management needs are considered this is not the most desirable approach.

The value of stumpage received by the BLM has been trending upward in recent sales. As an example, a timber sale that was recently appraised at $28/M sold for $65/M on the Butte district. If you project the 9 MMBF of timber sales that the BLM will sell in the fiscal year 87 timber sale program at $50/M, the U.S. will receive $450,000 in cash for stumpage plus other deposits and the asset value of the roads.

The Butte District of the Bureau of Land Management has a total commercial forest land base of approximately 320,000 acres. At minimum growth rates for commercial forest land one could realistically project a timber sale program of 32 MMBF. Present plans for management of BLM timber in the Butte District allow for the harvest of 12 MMBF with only 9 MMBF having been funded by Congress. Based on the fact that the American people are receiving far more value from the timber sale program than the program costs, Congress should be increasing the appropriations rather than eliminating the program.

Timber supply problems in southwest Montana are well documented. All sources of timber are required to maintain the industry at its present level. Since the U.S. government is receiving far more in value than the timber sale program costs, the administration should be requesting additional funds to increase timber sales rather than decreasing the program. Both the BLM and the administration have been negligent in allowing the agency timber sale program to deteriorate in Montana. There are numerous opportunities to make the program more cost effective. They are only using one third of the timber producing capacity of the commercial forest land base. We therefore request your

support for increasing the FY 88 timber management appropriations to a level that will allow the BLM to utilize their timber producing capability and make the contribution to the stability of the forest products industry and the Montana economy that is their responsibility.

Sincerely,

Larry B. Blasing

Larry B. Blasing, Forester

LBB:jn

MELCHER
MONTANA

United States Senate

August 5, 1986

The Honorable James A. McClure
Chairman
Subcommittee on Interior Appropriations
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

We are writing about a few matters of concern to Montana which the Interior Subcommittee on Appropriations will consider during the 1987 appropriations process.

We urge you to concur with the House appropriation for the Land and Water Conservation Fund which provides $500,000 for the Upper Missouri Wild and Scenic River land acquisition in F.Y. '87. This is a very important conservation project that needs to be acquired this year.

The House did not earmark Land and Water Conservation Funds for the Flathead River in Montana, even though the Forest Service requested one million dollars to acquire 750 acres of private land which is at risk of being lost because the landowner is anxious to sell and has advertised the property with local realtors. The property has been designated Situation 1 Grizzly Bear Habitat and the area is home to the Northern Rocky Mountain wolf. The land is considered essential for the recovery of these species. Since the Flathead Wild and Scenic River land acquisition is 47 percent complete, we think it makes good sense to continue progress on it and will appreciate your consideration of this project as the subcommittee marks up the appropriations bill.

The Administration did not request funds for the Bureau of Land Management Timber Sale Program in Montana which was funded at $410,000 in F.Y. '86. The House did not include funding for it either. This very small program is important to the lumber mills and forest products industry in Montana as it ensures that sufficient timber supply will be available. Without lumber from the program, several small Montana mills will have difficulty maintaining winter operations. This is particularly important this year because the National Forests are preparing forest plans

730 Hart Building

Washington, DC 20510

which will reduce timber sales, another important source of timber for small Montana mills.

Interior's decision to discontinue the Timber Sale Program was based on stumpage receipts which are less than the total cost of the program. However, an analysis of the program indicates that BLM receives other benefits in addition to stumpage receipts from the program such as capital improvements on roads and deposits for reforestation and other programs. In F.Y. '86 the BLM received over $700,000 in stumpage receipts and assets for the program which cost the government a little over $400,000. This is a good investment by anyone's standards.

Given the depressed state of the timber industry in western states, we urge you to include funding for the Montana BLM Timber Sale Program, in addition to the programs for Idaho and Northern California, for which the Administration did request funding.

Thank you for considering these matters during the appropriations process.

Sincerely,

Max Baucus

John Melcher

SEELEY LAKE, MONTANA

Pyramid MOUNTAIN LUMBER INC.

June 19, 1986

The Honorable Ted Schwinden
Governor of Montana
State Capitol
Helena, MT 59620

Dear Governor Schwinden:

We wish to express our great concern over the Secretary of the Interior's deletion of funds for the Bureau of Land Management's timber sale program from the budget for 1987 and 1988. This is a major government action considering the 10 million board feet they sell each year represents a loss of 70 direct jobs in Montana. Our state is already in an employment crisis without this proposal being approved.

Pyramid Mountain Lumber is running now, utilizing BLM logs as part of its log source. BLM logs will become even more important to us in the future considering the reduction in Forest Service timber available under the new Forest Plans.

The comparison that the Secretary made between revenue and cost was inadequate by not considering the other revenues from deposits and roads constructed under the timber sale contracts. The Missoula office of the BLM also assured me that their sales next year would be much more cost effective which will increase the amount of stumpage purchasers will be able to pay.

We strongly urge your support to reinstate the budget appropriations for the BLM's timber sale program in Montana. Thank you.

Yours truly,

Gerald V. Parker,
Timber Manager
PYRAMID MOUNTAIN LUMBER INC.

cc: Congressman Pat Williams
Senator Max Baucus
Senator John Melcher

AUG 8 1986

State of Montana
Office of the Governor
Helena, Montana 59620
406-444-3111

TED SCHWINDEN
GOVERNOR

August 7, 1986

Mr. Gerald V. Parker
Timber Manager
Pyramid Mountain Lumber, Inc.
Seeley Lake, Montana 59868

Dear Mr. Parker:

I appreciate your letter expressing concern over the Department of the Interior's proposed deletion of the Bureau of Land Management's timber program funding for 1987 and 1988.

State Lands Commissioner, Dennis Hemmer has written to Secretary Hodel regarding the potential impact of this proposal upon your lumber operation, as well as others dependent upon the continued availability of timber from lands administered by the Bureau of Land Management. I have enclosed a copy of Commissioner Hemmer's letter, which was also provided to the members of Montana's Congressional delegation.

A viable timber industry is important to Montana's future economy, and I appreciate your concerns.

Sincerely,

Ted Schwinden

TED SCHWINDEN
Governor

DEPT OF INTERIOR
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MONTANA STATE OFFICE
BILLINGS, MONTANA

Del Harding
Bureau of Land Management
PO Box 36800
Billings, MT 59101

Great Falls, MT
August 18, 1986

Dear Mr. Harding,

I would like to present the attached statement to the Advisory Council in Great Falls, August 22. It would be helpful to present a short, oral summary, but this is not absolutely necessary.

I will have additional copies available at the meeting.

Sincerely,

George N. Engler

George N. Engler
2412 5th Ave South
Great Falls, MT 59405

To: Members, National Public Lnds Advisory Council
August 22, 1986 - Great Falls, MT

From: George N. Engler, 2412 5th Ave SOuth, Great Falls
Member - BLM Butte District, Multiple Use Advisory Council

Subject: Oil and Gas Development- Rocky Mountain Front

Attached is a letter expressing my views on the above subject to Forest Supervisor Dale Gorman in response to the Chevron-Goat Peak Application for Permit to Drill.

Although the federal land management agencies have every authority to issue permits for oil and gas exploration, the question here is how the nation's long term interests will be best served.

The thrust of my remarks is simply this; if our nation is so desperate that we need to disrupt the present economy based on the unique wildlife and recreational values that exist on the Rocky Mountain Front, then we need to be doing other desperate things. The record shows we are not doing them. On the contrary, as I document in the attached statement, we are dismantling much of the effort and the incentives implemented since the Arab embargo of 1973.

We are doing this nation a grave disservice by constantly accomodating the dogged pursuit of the last reservoirs of conventional fuel. We need to diversify our energy system so we can truly become less dependent on the vagaries of Middle East politics. If we fail to do that, the next era of petroleum scarcity which is inevitable, will result in catastrophic dislocations in our economy and of our military preparedness.

I would hope that this citizens advisory group could impress on the Administration, as well as the federal agencies, that we need to take a longer, more statesman like view of responsibility to the nation's welfare, rather than of short term economic benefit to local communities. The nation will be better served.

GE.

FCW
Chevron-Goat Pk

Dale Gorman
Forest Supervisor
Lewis & Clark Nat'l Forest
Great Falls, MT

Great Falls, MT
April 9, 1986

Dear Dale,

Thank you for the opportunity to comment and to identify concerns in respect to Chevron's application for a permit to drill near Goat Peak in the Badger-Two Medicine area.

My concerns are twofold. First, the direct physical and environmental conflicts between oil and gas development and the unique wildlife and recreational values that exist throughout the Rocky Mountain Front. I previously expressed these concerns in respect to the Hall Creek APD. All of the problems associated with Hall Creek would be compounded with the Goat Peak location. For example, an access route up Badger Creek would certainly jeopardize the cutthroat trout fishery in Badger Creek. Moose in upper Badger would become more vulnerable as well. Furthermore, the well site south of Badger is in very slumpy terrain as near as I can recall.

I am also concerned with the need to respond to individual project proposals on the Front. In the Environmental Assessment of 1980 for Oil and Gas Leasing on Nonwilderness Lands, the Service determined that an EIS was not required because " -- a leasing decision does not irreversibly commit the Forest Service to permit activity which would result in unacceptable effects." Industry now disputes this position and argues that the lease, once issued, constitutes a contract that permits them to do exploration work. Regardless of the legal outcome of that we now find three separate Environmental Studies for three projects; Hall Creek, Blackleaf Field Development, and now the Goat Peak project. Will another proposal require another Study Team? It seems to us this is an inefficient and costly way to respond to the oil and gas development issue.

Another major concern is that the Forest Service denies any responsibility for weighing the issue of "need" for oil and gas, but apparenly takes the position that oil and gas has to be developed if potential exists, regardless of its incompatibility with other resources of national significance. I find this inconsistent with the Multiple Use Act and the Endangered Species Act.

If the 1980 Energy Act is the basis for accommodating the petroleum industry, it ignores what has taken place in the energy field since the OPEC embargo of 1973 and the Iranian revolution of 1979. Conservation and alternative energy efforts have proven demand projections to be far off the mark.

We have said several times in the past that if this nation is so desperate for energy that we need to plunder the Rocky Mountain Front and jeopardize the unique wildlife and scenic values there, then we need to be doing other desperate things! The record shows clearly that we are not doing them.

As a matter of fact the present administration is systematically dismantling many of the incentives that have brought about the present energy surplus.

If it is prudent to terminate the Synfuels Corporation, which will be out of business by June 30 of this year, then why is it prudent and necessary to plunder the Rocky Mountain Front? Senator McClure of Idaho, as reported in the Oil and Gas Journal of 12/16/85, said " abolishing the SFC will result in loss of the potential benefits which we have been pursuing for more than 4½ years. It is budgetarily irresponsible to abandon achievements of these benefits at this critical time, when the SFC's program is about to reap the rewards which we have sought for so long."

If it is prudent to terminate tax incentives for energy conservation in dwellings, businesses etc, which largely terminated at the end of 1985,even though the Harvard Business School Energy Report cites conservation as the energy alternative with the greatest potential for extending petroleum supplies, then why is it prudent and necessary to place the nationally recognized values of the Rocky Mountain Front at risk?

If it is prudent for the EPA to defer MPG requirements for the luxury cars of General Motors (in 1986), which led John Chancellor to make this remark in his evening news commentary," Thanks a lot EPA for turning the small car market over to Japan", and:

If it is prudent for the oil and gas industry to expend financial resources and energies on mergers, rather than investing in research or search for new resources, as reported in U.S.News, September, 1985, and which led the Oil and Gas Journal to editorialize on 12/16/85, that" Financial markets have lost sight of the need for research and technology ", and:

If it is prudent for the oil and gas industry to devote one of the smallest percentages of profits to research and development of any of the major industries, as reported in Business Week, 1979, and:

If it is prudent to discontinue-federal support for mass transit, as proposed in the President's 1987 budget, and:

If it is prudent to convert freight transport from rail to highway and forego the fuel economy of railroad versus trucks, and:

If it is prudent to reduce research and development in enhanced oil recovery, which led to this headline in the 2/3/86 Oil and Gas Journal,"Research vital to EOR work threatened by industry, DOE spending cuts" , and:

If it is prudent for the Department of Energy to sell our Naval Petroleum Reserves at Teapot Dome and Elk Hills, a proposal reported in the Oil and Gas Journal of February 24, 1986, then surely we can afford to refrain from putting the unique wildlife and scenic values of the Rocky Mountain Front at risk.

We do not believe the oil glut is here to stay. Far from it. What we would like to see is for the federal government to exercise long term , responsible judgment. The need for this is pointed up in an article in U.S.News of April 7. " Lower oil prices also could haunt the U.S. down the line if Americans revert to their old energy-guzzling ways. Though U.S. reliance on OPEC has been cut to an estimated 11% from a high of 34% in 1977, analysts allready see indications that the conservation mentality is vanishing. Power boat dealers, for example, notice a boom in "muscle boats" that burn lots of fuel as they speed up to 80 MPH." And S.Fred Singer, author of Free Market Energy, says, " If consumers start to believe that happy days are here again and abandon conservation efforts, it will further raise our need for imported oil ". And, I might add, with all of the risks associated with balance of payment problems, and the volatility of the Middle East. But what are consumers expected to do if our federal government sets the example of abandoning conservation efforts?

The federal government's effort to achieve " Energy Independence" by accelerating the exploitation of our potential domestic reserves, is reminiscent of British Prime Minister Chamberlain's negotiations with Hitler just prior to World War 2. The slogan was, " Peace in Our Time"! Our slogan seems to be "Energy Independence in Our Time ". Chamberlain didn't achieve peace, and we won't achieve " Energy Independence " by accelerating depletion of domestic oil and gas reserves. We have to get far more diversity in our energy system, otherwise we are only robbing the future!

We believe the Forest Service , in its respected position of leadership in the conservation and resource husbandry field, should be doing all it can to guide the nation on a responsible, long term energy course, even though that is not its primary responsibility.

Respectfully,

George N. Engler
2412 5th Ave South
Great Falls, MT 59405

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BILLINGS, MONTANA

PUBLIC LAND ACCESS ASSOCIATION INC.

President
Lewis E. Hawkes
16 Cloninger Lane
Bozeman MT 59715

Vice President
Perry H. Nelson
4371 Sourdough Rd.
Bozeman MT 59715

Secretary Treasurer
Richard F. Creed
1821 Bridger Dr.
Bozeman MT 59715

Directors

Sandy Buchsklian
108 South F
Livingston MT 59047

William A. Fairhurst
Box 247
Three Forks MT 59752

Bob Garner
916 South Willson
Bozeman MT 59715

J. L. Lewellin
Box 637
Livingston MT 59047

Robert Olson
Route 62, Box 3031
Livingston MT 59047

Mark A. Simonich
Box 205
Livingston MT 59047

August 9, 1986

Dean Stepanek
State Director
USDI-BLM
222 North 32nd Street
P.O. Box 36800
Billings MT 59107

Dear Mr. Stepanek:

Thank you for your letter and invitation to the Bureau of Land Management's National Public Lands Advisory Council meeting on Aug 21-23 in Great Falls. Tentatively, I am planning to attend, and I will be looking for a copy of the agenda for the field trip.

In our letter to you of Jan 10, 1986 and your reply of Feb. 13, 1986 we hope we established a beginning dialogue on the need for better access to BLM lands. John Kwiatkowski, Deputy State Director, Lands and Renewable Resources also participated in a panel discussion on access at our March 1, 1986 annual meeting (See attached clippings) which we appreciated. John stressed the need for being good neighbors at the annual meeting, but (as shown by the attached clippings) it appears that in wanting to be good neighbors with the rural resident the needs of the urban public land user is being overlooked.

Your January 3, 1986 news release on the scheduling of meetings on the Governor's Forum on Montana Outdoors also contained an attachment titled: "A Message from BLM". In this attachment it is stated that:

> "Recreation .... public lands are available for various leisure time activities including hunting, fishing, rock collecting, skiing and hiking. BLM has six developed recreation sites in Montana. Three are along the Madison River in southwestern Montana; two in the Little Rocky Mountains southwest of Malta; one at Holter Lake, north of Helena. Last year,

President
Lewis E. Hawkes
16 Cloninger Lane
Bozeman MT 59715

Vice President
Perry H. Nelson
4371 Sourdough Rd.
Bozeman MT 59715

Secretary Treasurer
Richard F. Creed
1821 Bridger Dr.
Bozeman MT 59715

Directors

Sandy Buchaklian
108 South F
Livingston MT 59047

William A. Fairhurst
Box 247
Three Forks MT 59752

Bob Garner
916 South Willson
Bozeman MT 59715

J. L. Lewellin
Box 637
Livingston MT 59047

Robert Olson
Route 62, Box 3031
Livingston MT 59047

Mark A. Simonich
Box 205
Livingston MT 59047

more than 4 million recreation visits were made to BLM lands in Montana."

Since the BLM administers more than eight million acres in Montana the 6 developed recreation sites boils down to one developed recreation site for about each 1.3 million acres.

We realize most of the BLM lands, because of their very nature, do not lend themselves to developed recreation. However, 1 developed recreation site per 1.3 million acres indicates little attention has been paid to the needs of the urban public land user.

In addition an August 27, 1985 article in the Wall Street Journal by Ken Slocum states:

"MAGNITUDE OF THE PROBLEM

The amount of public land thus isolated by private land is enormous. Based on prior studies 'probably 40% to 60% of all public land in the west has serious access problems and one third has no legal overland access at all', estimates Thomas Dougherty a regional director of the National Wildlife Federation. Of the 8.1 million acres in Montana supervised by the Federal Bureau of Land Management 'probably 60% has access problems' says Dean Stepanek the agency's state director." (Copy attached)

On January 10, 1986 we also wrote a letter similar to yours to James C. Overbay, Regional Forester in Region I. In response to our request, a General Access Task Force under the chairmanship of Frank Salmonsen, Forest Supervisor of the Deerlodge National Forest, prepared the enclosed "General Access" report for the six east side National Forests in Montana (Beaverhead, Custer, Deerlodge, Gallatin, Helena, and Lewis and Clark).

In short, this analysis shows that of the 10.2 million acres in these forests about 1,310,000 internal acres within these forest boundaries and 1,940,000 external acres have access blocked to the public forest user. In summary about 31% or about 1/3 of the national forest lands

President
Lewis E. Hawkes
16 Cloninger Lane
Bozeman MT 59715

Vice President
Perry H. Nelson
4371 Sourdough Rd.
Bozeman MT 59715

Secretary Treasurer
Richard F. Creed
1821 Bridger Dr.
Bozeman MT 59715

Directors

Sandy Buchaklian
108 South F
Livingston MT 59047

William A. Fairhurst
Box 247
Three Forks MT 59752

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916 South Willson
Bozeman MT 59715

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Box 205
Livingston MT 59047

PUBLIC LAND ACCESS ASSOCIATION INC.

on these 6 east side forests are unavailable to the general public and they are being used for the economic benefits of a relatively few people (Dude Rancher/Outfitter/Guide Complex),

We would appreciate and encourage you to make a similar study and analysis of needed access for the 8.1 million acres of BLM lands in Montana.

If we had both the BLM's and the Forest Service's analysis and summary of the needed access, then we may be able to help put a coordinated program together for consideration by both Montana State and National legislatures.

The significance of this access problem in eastern Montana is staggering. For example, if the number 1 priority access on each of the 6 east side national forests were obtained each year (6) it will still take decades before the general public has adequate access to public forest lands in eastern Montana. If 60% of the BLM lands are also blocked it will probably take even longer. In effect the sagebrush rebellion or the taking of federal lands is being accomplished by the "defacto" blocking of public access to public lands by private interests.

We need the above requested information in order to prepare a coordinated program for consideration by all concerned people.

Would it be possible for you to submit a copy of this letter along with a copy of our January 10, 1986 letter to you (with attachments) to the National Public Lands Advisory Council for our input. This is the same information I will summarize at the public statement period on Aug. 22, 1986.

Sincerely yours,

Lewis E. Hawkes

Lewis E. Hawkes, president
Public Lands Access Association, Inc.
16 Cloninger Lane
Bozeman MT 59715

My name is Mark Walsh. I represent the Utah Association of Counties, an organization composed of all 29 counties in Utah.

A week ago today, August 15, the comment period on the Bureau of Land Management's draft Environmental Impact Statement (EIS) on Wilderness for Utah expired. In the draft EIS the BLM considered 82 Wilderness Study Areas (WSA's) grouped in five regions of the state of Utah. Most of these WSA's are located in the southern part of the State. The BLM proposed for designation nearly 1.9 million acres in 54 areas. The state of Utah is comprised of approximately 56 million acres, 22 million of which are owned by the BLM. Nearly 70% of the state of Utah is owned by one agency or another of the federal government. Another approximately 10% of the State is managed under federal statute or court decisions. These are trust lands--deeded to the State at Statehood in 1896. With nearly 80% of our State owned or controlled by the federal government any action which affects the use of the public lands causes local officials concern.

The elected officials in Utah have been very active in scrutinizing the draft EIS, assessing its affect on our communities and the counties as a whole and submitting comments on our findings and concerns and making recommendations where we felt it appropriate.

In Utah, with so much of the State rural and under federal control our economies are land based. We depend very heavily on the use of the public lands to support our families, our industries--in fact all our commercial activities. We use the public lands for our recreational pursuits. Any future development in Utah will somehow be affected by public land management decisions. The State BLM Director in Utah, in fact has more control over more of Utah than does the Governor. It is essential that those who administer the public lands be sensitive to the problems and concerns of those whose very lives they are affecting in their management policies and recommendations.

I am here today at the request of elected local officials in Utah to express our concern that the appropriate level of sensivity is not reflected in the draft EIS on Wilderness which I have referred to. In fact, it is our opinion that it does not meet the requirements of federal law--specifically the National Environmental Policy Act (NEPA) and disregards state law.

In October, 1976, the Federal Land Policy and Management Act (FLPMA) was enacted and by its enactment some 2500 federal land laws were repealed. Among those laws repealed were some which recognized certain rural roads as public access roads. Most of these roads serve a public purpose, are for the public's use and contribute to the economic vitality of rural communities and the State generally. In 1978, the Utah State Legislature, concerned that these public roads were endangered, enacted a State law recognizing them and protected them under a newly created system--the Class D Road System. The requirement under State law mandated each county to prepare maps showing these roads and certifying their existence as of October 21, 1976. The completed maps are part of the Utah Department of Transportation inventory. The issue is these roads are public roads, serve a public purpose and contribute to the vitality of rural Utah. The standard for determining whether to recognize these roads or not under State law came in a reply from then Assistant Secretary of Interior Guy R. Martin to an inquiry we asked U.S. Representative Gunn McKay to make regarding roaded and roadless areas. The reply

ed February 6, 1978 and stated that the definition of a road, for purposes entorying Wilderness "does not allow all access routes to be recognized as but does allow an access route that was simply bladed in without drainage at receives enough maintenance to keep it open to be classified as a road. ne use of hand tools will be regarded as a maintenance device. The main in determining a road is that it serves the access needs or commerce for a ermined or planned purpose, be it public or private." The roads identified t of the Utah State Class D Road System meet this criteria.

We believe the BLM has done a disservice to Utah by not giving proper ition to these Class D Roads. Further, we believe BLM is using the Wilderness ory and the WSA status as a management scheme to close off public access to blic lands by denying recognition of these Class D Roads. This violates the e for which Wilderness is inventoried and, we believe, federal law.

In fact, the majority of the areas proposed for designation in the red alternative are not roadless and therefore do not meet the definition derness. There are State Class D Roads in many of these areas. It is ial that BLM be sensitive to the affect their management style has on public tates. They have the potential to destroy rural economies because of land hip configuration and federal preemption.

BLM should be encouraged to give deference to state laws which reflect eds and concerns of the people who must live daily with the actions of BLM.

It is our belief that the economic impact data in the draft EIS is a g deficiency and does not meet the requirements of NEPA. The BLM has simply a calculation of the loss of federal mineral lease moneys from these areas if ation takes place. NEPA requires a more comprehensive analysis and assess- of federal actions on local economies. The potential for serious economic quences for rural Utah and the State as a whole is substantial when the mic analysis is not complete or not accurate enough to give a true reading.

The decision rendered in Sierra Club vs. Block in November, 1985 has d great concern among county officials. This reserved water rights case, we ve and so do many others, calls into question virtually every water project ah and the other Western States. The Utah Association of Counties and the nal Association of Counties have adopted identical Resolutions opposing the ved water rights decision. A copy of that Resolution is attached.

In a Special Session in May of this year, the State Legislature with overnor concurring, adopted a Resolution which, we believe, accurately re- s our concerns regarding Wilderness in Utah. A copy of that Resolution and nor Bangerter's comments to the BLM on their draft EIS are attached.

I appreciate the opportunity to be here and to make this statement in f of the local officials in Utah. Any assistance which this National Advisory il can provide to make the Wilderness process more meaningful and less burden- will be greatly appreciated.

Thank you.

RESOLUTION ON RESERVED WATER RIGHTS IN WILDERNESS

WHEREAS, the Federal District Court of Colorado in the case of Sierra Club v. Block held that Wilderness designation creates federal reserved water rights in the areas of designation;

WHEREAS, a federal reserved water right does not conform in all respects to Western States' water law. The right is based on the assumption that Congress, when reserving land from the public domain for a particular purpose, impliedly reserved sufficient water to accomplish the primary purpose of the reservation;

WHEREAS, the priority date of the federal reserved water right relates back to the date on which the lands were reserved from the public domain thus giving this water right superior status to the water rights of all those who appropriated water after the reservation date;

WHEREAS, a federal reserved water right for Wilderness is basically a nonconsumptive instream flow right, the nature of which would command the entire flow of the stream, maintenance of a given lake level, or the continuance of ambient water tables with respect to ground water rights, as of the date of the Wilderness designation;

WHEREAS, a federal reserved water right for downstream Wilderness areas could affect the entire reaches of streams and rivers by requiring maintenance of historic flows, thus impacting nearly all Western water projects and even curtailing some;

NOW THEREFORE BE IT RESOLVED, that the Utah Association of Counties repudiates the Colorado District Court decision rendered in Sierra Club v. Block as being counter to the interests of the West and its citizens.

BE IT FURTHER RESOLVED, that the Utah Association of Counties file an amicus curiae brief through Mountain States Legal Foundation in Denver, with the Tenth Circuit Court of Appeals and when appropriate with the United States Supreme Court to overturn this unacceptable District Court decision.

OPPOSITION TO FURTHER WILDERNESS

DESIGNATION RESOLUTION

1986

SECOND SPECIAL SESSION

Enrolled Copy

S. C. R. No. 1 By Ivan M. Matheson

A CONCURRENT RESOLUTION OF THE LEGISLATURE STATING OPPOSITION TO ANY FURTHER DESIGNATION OF WILDERNESS AREAS IN UTAH; AND ASKING CONGRESS TO MODIFY THE FEDERAL LAND MANAGEMENT POLICY ACT.

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the Bureau of Land Management (BLM) embarked in 1978 on a study of 20 million acres administered by the Utah Bureau of Land Management to determine if these acres should be designated as wilderness areas;

WHEREAS, the BLM's draft environmental impact statement (DEIS) lists seven alternatives, six of which recommend designating new wilderness areas in the state;

WHEREAS, the BLM has proposed as its preferred alternative that 54 of the 82 areas studied, representing 1.9 million acres be designated as wilderness areas;

WHEREAS, the BLM's preferred alternative would hamper economic development in Southern Utah and preclude economic vitality by withdrawing almost two million acres of land from multiple use sustained yield;

WHEREAS, Utah already has a vast amount of land in its five national parks, Park Service or Forest Service recreation areas, Department of Defense bombing and gunnery ranges, and Indian reservations, that are designated as single use areas and cannot be developed or follow the multiple use concept;

WHEREAS, 800,000 acres have already been designated as forest service wilderness in Utah;

WHEREAS, the reserved water right decision rendered in a Colorado district court mandates a reserved water right to any designated wilderness area, thereby jeopardizing water rights on other public lands and on privately held property if new wilderness areas are designated;

WHEREAS, by designating these areas wilderness areas, the state will be unable to service these lands, or build roads to make these areas accessible to tourists or industry;

WHEREAS, utility lines and pipelines to service vast areas of Southern Utah will not be built if these lands are designated as wilderness areas;

WHEREAS, the BLM's DEIS does not reflect the most current, state-of-the-art energy and mineral data provided to the BLM by industry over the last several years, meaning that minerals evaluation and assessment information within the statement is faulty and unreliable for determining the mineral potential of the wilderness study areas;

WHEREAS, the DEIS indicates that approximately 50% of the potential oil and gas resources in the wilderness study areas, and 40% to 50% of

the locatable minerals would be forever lost to the state, which loss would adversely impact mineral and energy production in an area of the state that desperately needs new development;

WHEREAS, revenues from developable natural resources in these proposed wilderness areas will be lost, thus denying much-needed revenue that could help pay for the education of our children, the state's most precious resource;

WHEREAS, local economies are delicately crafted and balanced by wise use of available natural resources and respect for the land;

WHEREAS, local and state economies are heavily dependent and necessarily protected under multiple use sustained yield;

WHEREAS, the BLM has established a public comment period, with public hearings throughout the state to be held in May and written comment to be received by August 15; and

WHEREAS, it is imperative that the Legislature of the state of Utah make its position known on wilderness designation in Utah.

NOW, THEREFORE BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, is opposed to any further designation of wilderness in Utah.

BE IT FURTHER RESOLVED that this Legislature strongly disagrees with the Colorado district court decision rendered in Sierra Club v. Block (the so-called reserved water right decision), as being counter to the interests of the West, this state, and its citizens.

BE IT FURTHER RESOLVED that the Utah Legislature urges Congress to modify the Federal Land Management Policy Act to exclude any state with greater than 30% federal ownership from the provisions of the 1964 Wilderness Act.

BE IT FURTHER RESOLVED that the Legislature urges the State Land Board not to trade any state sections out of any BLM wilderness study area.

BE IT FURTHER RESOLVED that a copy of this resolution be prepared and sent to the director of the Division of State Lands, the members of the Utah State Land Board, the director of the State Bureau of Land Management, the director of the Federal Bureau of Land Management, the members of Utah's congressional delegation, the President of the United States Senate, the Speaker of the United States House of Representatives, and the chairmen of the United States House and Senate Interior Committees, and the chairman of the United States Senate Committee on Energy and Natural Resources.

BLM Wilderness Hearing
Governor Norman H. Bangerter
May 15, 1986

I appreciate the opportunity to appear before you this evening and express my position on the BLM Wilderness Draft Emvironmental Impact Statement. First, I would like to commend the Bureau of Land Management for the work that has gone into this draft statement. In particular, I would like to compliment Roland Robison, the state director of the BLM, for tackling this difficult issue and providing these public hearings so that our citizens can make public comment. I realize that this is the final hearing and that many people have provided you with imput over the last few days so I will keep my remarks brief and to the point.

Utah is a state of many unique and varied resources. Our people, from the days of the early pioneers have, relied on the land for both their livlihood and their enjoyment. I have always believed that the people of this state choose to live here because it is the only place on earth where they can have the variety of experiences that can be enjoyed within our borders. For some of our people that includes that opportunity to make a living off of the land by raiseing livestock and agricultural products. For others, it is the recreational uses of camping, fishing, or hiking. For still others, it means economic vitality based on the extraction of minerals from the earth. The uses of our land and resources in Utah are as

Management of these lands and resources have not always been an easy task. The greatest majority of land in this state is owned by Federal, State, or local governments. We are a public lands state in the truest sense of the word. The various landlords have not always had a consistent approach to land management. Some of these lands are managed for a single use. This requires a judgement that one use is of higher value than all others. I believe the the more successful managers have a adopted a mutiple use concept, where various uses are balanced with each other to provide benefit for all.

This brings to the subject of proposed BLM wilderness. I cannot support the locking up of more of our lands into single use designation. This state already has many acres in Forest Service Wilderness Designation, National Parks and military withdrawals. The BLM wilderness study areas are currently managed as wilderness areas. I believe that these lands could be carefully managed as multiple use areas with recognition of their unique values as examples of the type of terrain that existed in this state before it was inhabited by people. I do not acknowledge that those goals are mutually exclusive. I do believe that multiple uses can coexist, with proper management, on the same lands for maximum benefit.

My opposition to further wilderness is also based on the disturbing trend that allows single use lands such as wilderness areas to impact the surrounding lands although they are not part of the wilderness designation. We have seen activities on lands adjacent to Forest Service Wilderness areas controlled because of possible impact on those areas. I cannot support the creation of de facto buffer zones around wilderness areas. Unfortunately, the trend is to allow the impact of the wilderness designation to exceed beyond its actual boundaries. The Colorado case of Sierra Club vs Block that establishes reserved water rights for wilderness areas is another example of the effect that those areas can have on surrounding lands.If that case is allowed to stand , it could have an adverse impact on our ability to develop and utilize our water. In an arid state such as Utah, the ability to develop our water resources is critical to our economic future.

I recognize that Congress has mandated wilderness review in the Wilderness Act. The state is reviewing the documents and will submitt detailed comments to the BLM. I fully intend to be actively involved in the process. I feel that I must take the position that before I could support any acre being given wilderness designation it must be proved to me that the designation is in the national interest and in the best

interest of the people of this state. I would encourage the BLM to consider carefully the competing values of the lands under study, whether those values are agricultural, recreational, or mineral. I believe that the citizens of the state of Utah would be better served by careful and prudent management of those lands under multiple use principles.

Thank you.

EAST FRONT LANDOWNER AND GRIZZLY BEAR

For 100 years or more the East Front area of the Rockies was free of the grizzly bear. In the 1870's, when the Indians got rifles with enough shooting power, they evened the score with the dreaded grizzly bear and by the time of the development of the large ranches (in the early 1880's) few bear were left. Some large ranches such as the Clark Bros. west of Bynum, ran several bands of sheep in the 1880's and there is no record of bear depredation. The grizzly was driven back into the mountain fastness where for a hundred years he lived in relative safety. The aboriginal people were forced from the land and the remainder of the millions of buffalo that stampeded across the plains were almost wiped out by 1883. The wolfers killed off the wolf packs for their pelts. In other words the land was being pioneered and made safe for white man and his families to come and settle, which they did.

About twelve years ago, because of the protection of the grizzly from hunters, he had increased in such numbers as to have over populated his mountain range showing a tendency to want to come out upon the plains, which was his ancestral home.

The grizzly bear as named by Lewis and Clark, because of its white tipped hair, inhabited most all of the country in the U.S. west of the 100° meridian and was really the same brown bear that their ancestors had lived with in Europe. Because of the bear's proclavity for depredation and having no real value in the natural ecosystem, the people got rid of them.

All the western states except Wyoming, Montana, Idaho and Washington, will not allow the reintroduction of the grizzly under any circumstances. The greater number of people who live in the 1,200 square miles making up the East Front feel pretty much the same as the people of these other western states, however we are having this bear problem imposed upon us by the choice of the greater part of our national population, who are idealists and not realists in the matter.

The presence of the grizzly bear along our streams, and around our homes, and our towns has brought about a socialogical impact that has been devastating. Children no longer roam at will up and down our streams; fishing, swimming, or just plain hiking. They might as well live in the city for they do not leave the yards. The rancher is forced to choose between a fine of $10,000 to $20,000 under the Endangered Species Act to protect his life and livestock or stand by and let the grizzly have its and the Audubon Society's way.

This is really where the problem started for the Fish and Game people saw the possibility of reintroducing the grizzly back into the area. To go with the U.S. Forest and B.L.M. lands, they acquired areas of land along the mountain front which were good bear habitat and which served as a refuge for the bear. The Fish and Game people did this in a sly and crafty manner, not making known their goals to the joining landholders. Had they let the landowners know of their intent and had gotten a commitment from the ranchers before hand a lot of hard feeling could have been avoided.

About this time, due to the work of the Craigheads and their tale of woe concerning the grizzly in the Yellowstone Ecosystem, the U.S. Congress placed the grizzly bear under the Endangered Species Act. This was probably the greatest hoax perpetrated since the advent of the Cardiff Giant. People think of an animal classified under the endangered species as being few in number and almost extinct like the black-footed ferret or the California condor. When it was revealed by the Fish and Game's own count that there were 800 to 1000 grizzly bear in the lower 48 states, around 48,000 in Canada and Alaska not to mention approximately a hundred thousand that live in Eurasia, the largest land mass on earth. The landowners and concerned citizens along the East Front realized that they had been lied to and deceived by the Fish and Game people.

The economic impact to east front communities is tremendous for woven into all of the phraseology relative to the regulatory rules governing the use of U.S. Forest lands or B.L.M. lands reads "endangered species", "environmental impact", "natural habitat", and so forth. This has nothing to do with deer, elk, moose, goat or big horn sheep, just the grizzly bear (which is as we know not an endangered species). Outfitters, snowmobile clubs, motor bike organizations, loggers, oil and gas explorers, and holders of grazing permits, feel the impact of these restrictions because under the Endangered Species Act the welfare of the bear takes presidence over everything.

We, the landowners of the East Front, are being discriminated against under this act for Article IV, Section 2 of the U.S. Constitution says to quote "the citizens of each state shall be

entitled to all the privileges and immunities of citizens in the several states". The people of Colorado passed a law making it an offense for one to try to reintroduce the grizzly into their state. California, the bear flag republic, would not reintroduce them because they would be devastating to the state's recreational facilities, but here we, the East Front landowners, and B.L.M. and U.S. Forest permittees sit with the Endangered Species Act pointing its threats toward us. The U.S. Fish and Wildlife personnel went so far as to deny sheepherders on the National Forest the right to carry a rifle, however because of the constitutional right to bear arms, they lost the issue but this only goes to show the bureaucratic pressure which this Endangered Species Act imposes upon people who try to make a living along this mountain front.

The grizzly bear should not be under the protection of the Endangered Species Act but should be under the control of the Montana Fish and Game Department. Mr. Flynn and Mr. Marcau have both put down in writing that this should be the case, however, they are the people that have the official data and facts which would make it possible to have the grizzly delisted from this Act, so what is holding up the show?

Written Statement Submitted for Council Consideration

montana wildlife federation

EDUCATION - CONSERVATION

Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION

P.O. Box 3526
Bozeman, MT 59715
(406) 587-1713

BUREAU OF LAND MANAGEMENT
1986 AUG 18 AM 8 07
RECEIVED
MONTANA STATE OFFICE
BILLINGS, MONTANA

August 14, 1986

Mr. Del Harding
BLM
222 N. 32nd St.
P.O. Box 36800
Billings, MT. 59107

Dear Mr. Harding:

Enclosed is a copy of our testimony which we would like to submit to the National Public Lands Advisory Council for their meeting August 22-23 in Great Falls.

I am planning to attend the meeting to give testimony in the period from 1-2 p.m. In the event that I am unable to make it to Great Falls for that testimony, please enter this statement into the record for us. Thank you.

We are certainly pleased that Montana is hosting this Council. I hope they will have a chance to get out to see some of the wonderful country over which they advise.

Thank you for the invitation to testify.

Sincerely,

Emily Swanson

Emily Swanson
Executive Director

Members of our National Public Lands Advisory Council, I am Emily Swanson, Executive Director of the Montana Wildlife Federation. The Montana Wildlife Federation is a statewide organization of approximately 4,000 members which promotes the sound management of our wildlife resource. Our members are primarily hunters and anglers who want to see the continuation of their fine hunting and fishing opportunities in Montana. Thank you for this opportunity to address you about our concerns over wildlife management within the Bureau of Land Management.

Our overall concern in Montana is that more attention needs to be paid within the BLM toward managing for recreational opportunities. It seems apparent that Montana's economy is moving increasingly toward a tourist/recreational economy in which the outstanding natural resources of our state will be of prime value. A healthy wildlife resource, wild lands which propagate wildlife, clean free flowing waters, these are the resources of Montana's economic future.

Thinking about capitalizing on these resources, we immediately think of the BLM's vast acreages of excellent recreational lands. We feel that a greater priority should be placed on ensuring wildlife values than has heretofore been practiced within the BLM. I point to four particular ways in which this could occur:

1) We are aware that wildlife budgets in the BLM have been reduced. This has resulted in fewer wildlife personnel and therefore less professional input for wildlife. At the same time, the remaining wildlife personnel have been asked to cover other tasks due to overall budget reductions. This has resulted in double reductions in the effectiveness of wildlife management within the BLM. This trend needs to change.

2) The Land Adjustment Program has had mixed results with regard to preserving lands with high wildlife value. We urge the BLM to place the highest priority on the quality of the exchange, retaining wildlife values in lands exchanged and looking for recreational benefits. We also urge the BLM to seek lands for exchange which will open up access to public lands which have been blocked by private land holdings.

We suggest that the BLM support Montana's Senator Max Baucus' proposed amendment to the Sykes Act which will provide a mechanism for securing increased access to public lands.

3) Lands controlled by the BLM are generally not viable timber lands. We understand that the BLM has moved to cut back on its timber harvest quotas on Montana lands. We heartily support this move in light of the economic viability of Montana's timber resource, and the importance of those same lands as wildlife habitat.

4) There was a suit against the BLM about ten years ago by the Natural Resources Defense Council. That suit established a monitoring system to ensure that wildlife and other multiple use

factors were being considered in range, forestry and other activity plans of the BLM. We question whether that monitoring is being done to a degree to comply with the suit. Attention to wildlife in all activity plans is of concern to us.

We are aware of the complexity of managing public lands for multiple use objectives. We urge you simply to consider the changing times and the changing use patterns on our public lands. We feel that the public will find the greatest benefit from adjusting management schemes to fit demands as they change, and that today's demands are for longterm natural health with land use for recreation as a highest priority.

Thank you.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

AUG 13 1986

Memorandum

To: Members, National Public Lands Advisory Council

From: Assistant Secretary, Land and Minerals Management

Subject: Department Responses to Council Resolutions Adopted at the May 14-16 Meeting in Gillette, Wyoming

We have reviewed the resolutions that the council adopted at its May 14-16 meeting in Gillette, Wyoming, and would like to report back to you on actions that we have taken on each of them. The Department's responses to the ten resolutions are enclosed for your review and consideration.

I am planning to attend the Council's upcoming meeting in Great Falls, Montana, and look forward to this meeting as an opportunity to discuss both your May resolutions and the important public lands issues that you have scheduled for this three-day session.

Enclosures (10)

ATTACHMENT E

WILDERNESS AND WATER RIGHTS

Resolution

WHEREAS: The United States District Court for the District of Colorado has ruled in Sierra Club v. Block that the Congressional designation of wilderness reserves a Federal water right; and

WHEREAS: The economic well-being of the West requires adequate supplies of water in the future; and

WHEREAS: Many western rivers and streams are already over-appropriated; and

WHEREAS: BLM is presently reviewing approximately 25 million acres of public land for possible inclusion in the National Wilderness Preservation System; and

WHEREAS: A great deal of probable BLM administered wilderness will be downstream of locations where future water appropriations will be required; and

WHEREAS: The District Court decision would thwart such future water appropriations upon the designation of BLM administered wilderness.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to oppose any additions to the National Wilderness Preservation System until Congress enacts legislation renouncing any intent to reserve water rights in designating wilderness.

Response: The Department continues to support the long-standing policy that water rights for Federal reservation purposes, including designated wilderness areas, will be sought and obtained under existing administrative procedures of applicable State law, wherever possible. The Department stands ready to work out mutually agreeable procedures with affected State governments similar to those provisions contained in Representative Strang's proposed legislation, H.R. 4233.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)

Resolution

WHEREAS: The Federal Land Policy and Management Act (FLPMA) defines the term ACEC and sets forth specific requirements for identification and designation of ACECs in the planning process; and

WHEREAS: The ACEC designation is consistent with multiple use management under FLPMA; and

WHEREAS: Potential ACECs must always be evaluated with full public review and notice, and in accord with other established resource management planning rules.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council:

1. Recognizes that the ACEC requirements of FLPMA provide an important management tool to the local Bureau of Land Management (BLM) Manager;

2. Urges BLM to consult with public land users and interest groups when revising guidance implementing the ACEC provision of FLPMA and resource management planning rules, provided, however, that other designations be reviewed to determine if adequate management or protection options are available;

3. Supports the BLM effort to achieve a consistent approach to ACEC evaluation and designation in the planning process, compatible with multiple use management.

Response: We appreciate the Council's support for the Bureau of Land Management's approach to establishing and managing Areas of Critical Environmental Concern (ACECs). The Bureau is presently drafting additional guidance to help achieve a consistent approach to ACECs in line with the concepts reviewed and discussed at the last Council meeting.

Specifically:

1. The guidance will stress the compatibility of the ACEC designation with the BLM multiple-use mandate. As noted at the Council's meeting in Gillette, the ACEC designation is one of a number of management tools used by the BLM manager to attain balanced uses on the public lands under existing requirements.

2. The guidance will be made available for public review in much the same manner as the Supplemental Program Guidance for resource management planning was made available for public comment. Interested publics will have an opportunity to comment and provide input into the guidance. This guidance will also address ACEC designation in relation to other management or protection options.

The Council's advice and support in this initiative have aided the Bureau's efforts to achieve a consistent approach to ACECs and to improve understanding of the requirements.

WILD HORSE AND BURRO ADVISORY BOARD LIAISON

Resolution

WHEREAS: The National Public Lands Advisory Council has devoted significant time and study to the adverse impacts on the public lands resulting from an overabundance of wild horses and burros on public rangeland; and

WHEREAS: The Secretary of the Interior is establishing a Wild Horse and Burro Advisory Board to seek solutions to managing the wild horse and burro population.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior invite the chairman of the National Public Lands Advisory Council or his designee to serve as an ex officio member of the Wild Horse and Burro Advisory Board to share expertise and act as liaison between these two advisory bodies.

Response: The Bureau appreciates the Council's interest in sharing its expertise on the impact of wild horses and burros on the public lands with the newly-established Wild Horse and Burro Advisory Board. At the Board's organizational meeting in Washington, D.C., on July 15-17, the members unanimously approved establishing a liaison between these two advisory bodies. Accordingly, Council Chairman Wells O'Brien, or his designee, has been invited to participate in meetings of the Wild Horse and Burro Advisory Board, and Board member Brad Little will be invited to participate in meetings of the National Public Lands Advisory Council to apprise members of the Board's activities and to learn of the Council's views on the wild horse and burro program.

RANGE REHABILITATION

Resolution

WHEREAS: Much of the western rangelands are infested with sagebrush and pinyon-juniper to the degree that these lands are presently producing less than their potential; and

WHEREAS: The Bureau of Land Management is involved in the rehabilitation of these ranges following wild and controlled fires and other types of existing vegetation removal techniques.

THEREFORE, BE IT RESOLVED: That this Council recommends that the Bureau adopt a policy of using an appropriate mix of the most palatable forage species of grasses, forbs, and shrubs in their rehabilitation program in order to provide more winter forage for livestock and wildlife.

Response: We concur with this Council recommendation on range rehabilitation. The Bureau recognizes its responsibility to implement rehabilitation treatments that are consistent with land use plan objectives for the area being treated. In August, 1985, following a series of wildfires on the public lands, we amended our policy for treatments to ensure that they would prevent damage to soil and water resources, be consistent with land use plan objectives, and provide long-term benefits for the area treated. This Bureau policy allows for seeding an appropriate mix of palatable forage species of grass, forbs, and shrubs to provide forage for livestock and wildlife, where such use is part of the land use plan objectives.

Several BLM State and District Offices are working closely with various research groups and plant materials centers to identify and develop appropriate plant species that can adapt to western ranges, provide wildlife and livestock forage, and be successfully used for rehabilitation of the public lands.

COMMUNICATIONS AND INFORMATION PROGRAM

Resolution

WHEREAS: There exists a need to inform and educate the public regarding multiple use benefits of grazing land resources; and

WHEREAS: The Department of the Interior manages the largest acreage of grazing lands and should take the lead in forming a program to achieve education goals; and

WHEREAS: The Secretary has initiated a major campaign, "Take Pride in America," and that this program can be adopted as a component of this campaign.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to implement a communications/information program on grazing land resources in coordination with other land agencies and user groups.

Response: While the Department of the Interior does not have a developed plan of action for such a communications/information program at this time, we have undertaken certain initiatives to increase public understanding of grazing land resources. In 1984, through our publication of "50 Years of Public Land Management," we initiated an effort to highlight the progress that has been made in improving the condition of the public rangelands. We are also in the process of developing a range management visual display that can be used at meetings and functions westwide to highlight improvement in range conditions.

We interpret the Council's recommendation to encompass a much broader communications/information program than we have undertaken to date, but we believe our recent efforts fit within the context of the suggested program. Our efforts to expand a rangeland communications/information program will be increased in the future.

COOPERATIVE MANAGEMENT AGREEMENTS

Resolution

WHEREAS: Multiple use management of public lands requires flexibility due to site specific conditions; and

WHEREAS: No one prescribed management practice may suffice to improve and enhance range conditions; and

WHEREAS: The Cooperative Management Agreement (CMA) program recognizes individual stewardship.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management, using proper authorization under existing law, immediately implement the CMA program.

Response: We concur with the Council's recommendation and are now in the process of developing appropriate rules to implement a Cooperative Management Agreement program. We anticipate publishing proposed regulations for the program in January, 1987, and, depending on the public comments received, project final rulemaking for April, 1987.

COMPENSATION FOR WILDLIFE HABITAT

Resolution

WHEREAS: The Bureau of Land Management recognizes that privately-owned lands are an integral part of game management and hunter success in the western states and that trophy game animals in many cases are in direct competition with domestic livestock for forage on both private and public lands; and

WHEREAS: It is an almost impossible task to control grazing patterns of game animals, and various States claim ownership of wildlife and receive the income from the harvesting of those animals.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management urge various State wildlife departments to involve land owners in the game herd decision-making process and to give serious consideration to fair and prompt compensation to those who contribute habitat and forage to the game herds.

Response: The Bureau of Land Management will continue to work with the various State fish and wildlife agencies, the Western Association of Fish and Wildlife Agencies, and the International Association of Fish and Wildlife Agencies, to encourage cooperative habitat management efforts between public and private land managers. As new opportunities are identified through consultation with State fish and wildife agencies, the Bureau will cooperate fully in providing incentives to private landowners for improved, coordinated habitat management activities.

The Bureau has also undertaken a Wildlife Economics Project, and during the second year of this project, we will be exploring the use of economic incentives to encourage more participation by private interests in habitat development. Western wildlife sports, including hunting, wildlife viewing, and photography, are of commercial importance in the West. For example, nonresident big game hunters in Colorado spent $11 million in 1980 on various privilege fees such as guide fees and private land use fees. Land use fees that succeed in opening lands that would otherwise stay closed to hunting, and that give the landowner an incentive to develop more and better wildlife habitat, are in the interest of all: sportsman, landowner and wildlife.

The Bureau has established a team that will be looking at innovative mechanisms to enchance fish and wildlife habitats through private investments. We are also exploring with the State of Colorado a pilot scheme in wildlife ranching to open lands to fee hunting and plow a portion of the fees back into habitat development. We additionally will be examining the regulatory or procedural barriers to cooperative management projects with ranchers and others and will remove barriers where this is feasible.

BLOCKING OF STATE LANDS

Resolution

WHEREAS: The land departments of several western States are attempting to block their State lands; and

WHEREAS: These State lands have been leased for many years to present users; and

WHEREAS: Many problems of public access and rights-of-way are involved in widespread trading of lands; and

WHEREAS: There are many existing rights-of-way, multiple-use rights and property rights involved on the public lands to be traded.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Director and Secretary cooperate with the various States in solving these problems; and

BE IT FURTHER RESOLVED: That the burden of completing the necessary hearings and agreements to assure the protection of all valid existing rights and privileges should be completed and executed by the various States before their proposal is submitted to the Secretary for approval.

Response: We agree that valid existing rights must be protected to successfully exchange lands with a State. The means for protecting specific third party rights that have attached to State and Federal lands should be worked out before a formal exchange proposal is submitted to the appropriate Bureau of Land Management office. Following successful negotiations, the burden of completing any necessary hearings and agreements for protecting third party rights that have attached to the State lands in the proposed transaction should lie with the State.

The Department and the Bureau have, and will continue, to cooperate with the various States in solving these problems.

BLM MONITORING PROGRAM

Resolution

WHEREAS: The Natural Resources Defense Council and the Bureau of Land Management during the Carter Administration had attempted to improve the condition of the public rangelands through livestock reductions based on one-point-in-time forage inventories; and

WHEREAS: The livestock industry, the range science and academic communities, and others, urged the replacement of livestock adjustments based on the unreliable one-point-in-time inventories with actual use data coupled with vegetation monitoring over time; and

WHEREAS: Under the Reagan Administration, the recommendations of the range science community, livestock industry, et. al., were implemented by BLM and the use of monitoring data as the primary basis for range management decisions became established policy; and

WHEREAS: Grazing decisions under the current process have been fair and timely and based on sufficient information to promote cooperation between BLM and permittees in improving the rangelands while minimizing the economic impacts on livestock operators; and

WHEREAS: The BLM has not uniformly or aggressively initiated the range monitoring program bureau-wide on a scale sufficient to support all upcoming grazing decisions; and

WHEREAS: The Natural Resources Defense Council and the U.S. District Court in Reno, Nevada, have served notice that BLM shall produce grazing decisions based on a sound monitoring program or the Court will reconsider its support for decisions based on monitoring data.

NOW, THEREFORE, BE IT RESOLVED: That the Bureau of Land Management designate the range monitoring program as the Bureau's highest funding priority of the range program, and insure that sufficient monitoring data is available to support every decision affecting livestock stocking rates and other grazing management decisions; and

BE IT FURTHER RESOLVED: That sufficient long-term monitoring programs be initiated and maintained so as to provide range condition and trend statistics which accurately depict the trend of public land range condition from the 1984 baseline; and

BE IT FURTHER RESOLVED: That BLM utilize contracted range technicians to conduct the monitoring program when insufficient permanent staff are available; and

BE IT FURTHER RESOLVED: That copies of this resolution be forwarded to the:

Senate Committee on Energy and Natural Resources
Senate Appropriations Subcommittee on Interior and Related Agencies
House Committee on Interior and Insular Affairs
House Appropriations Subcommittee on Interior and Related Agencies

Response: We concur with the Council's recommendation that the Bureau designate the range monitoring program as the highest funding priority of the range program -- with the exception that permit issuance and supervision, and the meeting of court-ordered priorities, must take precedence if grazing is to continue on the public lands. Monitoring will be given first priority after these two items. The Bureau is committed to a policy of basing grazing management decisions on monitoring data, and we are currently conducting a Bureauwide monitoring evaluation to determine if our current level of monitoring is sufficient to meet our monitoring commitment. The results of the evaluation will be used to determine if adjustments in the range program are needed to ensure that adequate monitoring data are collected.

The Council also recommended that sufficient long-term programs be initiated and maintained to provide range condition and trend statistics. The Bureau's current monitoring strategy is designed to determine the trend in range condition. We have adopted the order three soil survey and ecological site inventory, which includes mapping of range sites and a description of current and potential vegetation as the baseline for our monitoring program. From this baseline, range condition can be determined. As monitoring progresses, and trend studies indicate that a change in range vegetation has occurred, a comparison with the baseline can be made to accurately depict the trend in range condition. This approach was recommended by the Range Inventory Standardization Committee sponsored by the Society for Range Management.

The Council further recommended that the Bureau utilize contracting to conduct the monitoring program when insufficient permanent staff are available. We believe that contracting may be a viable option for conducting monitoring studies. If through our monitoring evaluation we find that we have insufficient permanent personnel to meet our monitoring commitment, we will explore the possibility of contracting, along with other options available to us, to determine the most efficient and best way to expand our monitoring capability.

As requested by the Council, we have transmitted a copy of this resolution to the appropriate Senate and House Committees for their personal review and consideration.

S. 2061 - CALIFORNIA DESERT PROTECTION ACT OF 1986

Resolution

WHEREAS: The Congress of the United States passed in October, 1976, the Federal Land Policy and Management Act, which emphasized resource protection within continued multiple use of the lands; and

WHEREAS: The Congress further directed that these principles be guided by the implementation of a comprehensive land use plan developed with the broad involvement of all segments of the public; and

WHEREAS: This Act contained special provisions which created the California Desert Conservation Area; and

WHEREAS: This Act provided for development of a management plan for the California Desert Conservation Area, to include both protection and continued multiple use; and

WHEREAS: A management plan was developed which recognized those special resource areas and values within the California Desert Conservation Area; and

WHEREAS: This plan was approved by both the Carter and Reagan Administrations; and

WHEREAS: FLPMA further directs the Bureau of Land Management to inventory and study all public lands for wilderness values, including mineral surveys, and report its recommendation to Congress for final decisions on wilderness designations; and

WHEREAS: The evaluations and preparation of these reports have not as yet been completed; and

WHEREAS: The United States Congress set the year 1991 as the year by which these reports and recommendations should be brought to them; and

WHEREAS: United States Senator Alan Cranston at the request of 21 preservation groups has introduced in the Senate S. 2061; and

WHEREAS: S. 2061 would designate 81 wilderness areas without complete evaluation; and

WHEREAS: Many of the proposed 81 wilderness areas have roads and are lacking in those qualities required for wilderness; and

WHEREAS: S. 2061 would create a 1.5 million acre Mojave National Park, a concept that was thoroughly studied during the California Desert Conservation Area planning process and was rejected; and

WHEREAS: S. 2061 would add 1.3 million acres from the California Desert Conservation Area to Death Valley National Monument, a concept also studied and rejected as part of the planning process; and

WHEREAS: S. 2061 would add 245,000 acres from the California Desert Conservation Area to Joshua Tree National Monument, land that was reviewed by Congress and rejected because of its enormous mineral values; and

WHEREAS: S. 2061 would convert Death Valley National Monument and Joshua Tree National Monument to National Park Status; and

WHEREAS: S. 2061 could put most of the free world's rare earths as well as other strategic and necessary minerals in jeopardy; and

WHEREAS: S. 2061 could place additional economic handicaps on private land owners, many small communities and rural counties; and

WHEREAS: S. 2061 would limit access to 9.4 million acres of lands; and

WHEREAS: S. 2061 would be costly to implement at a time when budget cuts are limiting services; and

WHEREAS: The introduction of S. 2061 violates established democratic processes which should include input from all the publics; and

WHEREAS: S. 2061 is premature, ill-conceived and contains many proposed actions which have been previously reviewed by Congress and/or thoroughly evaluated over the four years of planning for the California Desert Conservation Area and rejected for good reason.

NOW, THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Secretary of the Interior to forcefully oppose S. 2061 in total.

Response: Secretary Hodel has publicly stated that he believes the management, protection, and use of the public lands in the California Desert are best served by the provisions of the existing California Desert Plan. This Plan was formulated with extensive public involvement and consultation with local, county, State and Federal officials to protect the unique public land resources and ensure that they are prudently used and managed in the future.

The Department of the Interior believes that the California Desert Plan has proven to be a workable balance to a significant number of diverse constituencies for a large area encompassing an immense wealth of natural resources. The Plan also allows multiple land uses which provide good ecosystem balance and protection to special areas with unique values.

Rather than undertake the sweeping action contemplated in Senator Cranston's proposed legislation (S. 2061), which would brush aside all that has previously been accomplished, the Department reaffirms its support for the existing California Desert Plan and its provisions for the management, protection and use of the public lands.

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RESOLUTIONS OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL

Attached are copies of the 10 resolutions that the National Public Lands Advisory Council adopted at its August 21-23 meeting in Great Falls, Montana. The topics of the resolutions include:

- o Recordation of Mining Claims
- o Arctic National Wildlife Refuge (ANWR) - 1
- o Arctic National Wildlife Refuge (ANWR) - 2
- o Threatened and Endangered Species
- o Endangered Species Act
- o Riparian Definition
- o Multiple Use Information Program
- o Funding for BLM Timber Sale Program
- o BLM Wilderness in Utah
- o Bonding for Hardrock Minerals

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

RECORDATION OF MINING CLAIMS

Resolution of the National Public Lands Advisory Council

WHEREAS: The General Accounting Office recently has criticized the Bureau of Land Management (BLM) for recording mining claims located in withdrawn areas; and

WHEREAS: Such criticism misperceives the purposes of mining claim recordation in the Federal Land Policy and Management Act; and

WHEREAS: Legitimate disagreement as to withdrawal status may exist in certain instances; and

WHEREAS: Acceptance of material for recordation is nonjudgmental, and does not constitute BLM acknowledgment of claim validity; and

WHEREAS: An otherwise invalid claim is not made valid by recordation, and may not, therefore, encumber public land; and

WHEREAS: Failure to accept a valid claim for recordation can adversely affect the rights of claim locators; and

WHEREAS: Routine screening of mining claims represents an undue expense to BLM.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges BLM to strenuously resist GAO and Congressional pressures to screen mining claims prior to their acceptance for recording.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23,1986

ARCTIC NATIONAL WILDLIFE REFUGE (ANWR) - 1

Resolution of the National Public Lands Advisory Council

WHEREAS: During consideration of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), the United States Congress recognized the high potential for discovering oil and gas in the Arctic National Wildlife Refuge (ANWR); and

WHEREAS: Section 1001 of ANILCA directed the Secretary of the Interior to: (1) assess ANWR for potential oil and gas resources and make recommendations concerning future use and management of those resources including an evaluation of alternative transportation routes needed for oil and gas development, (2) review the wilderness characteristics and make recommendations for wilderness designation of these lands, and (3) study and make recommendations for protection of the wildlife resources of ANWR; and

WHEREAS: Section 1002(h) of ANILCA requires that Congress receive a report containing information on: (1) geological potential of the area, (2) description of fish and wildlife resources and their habitats, (3) assessment of the potential affects of oil and gas development on wildlife resources and habitat, (4) discussion of potential transportation and processing facilities, and (5) recommendations as to whether oil and gas leasing should occur in ANWR; and

WHEREAS: A 1980 U.S. Geological Survey report estimated there are .8 to 17.6 billion barrels of undiscovered oil in place at the 95 percent and 5 percent probability levels, respectively, and from 1.4 to 28.1 trillion cubic feet of natural gas in the ANWR coastal plan, and the results of more recent seismic exploration work have not yet been made available to Congress or the public; and

WHEREAS: H.R. 4922 has been introduced in the House of Representatives by Congressman Morris Udall that would preempt the Congressionally-mandated analysis of geologic and wildlife related information and simply place the 1.5 million acre coastal plain in permanent wilderness designation, and over 50 representatives have co-signed this legislation.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council expresses its opposition to Congress' consideration of the land status of ANWR in violation of its own mandated procedures and urges all Members of Congress to commit to no position on the ANWR until Congress has analyzed the 1002(h) study prepared by the Secretary of the Interior.

BE IT FURTHER RESOLVED: That a copy of this resolution be sent to every Member of Congress.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

ARCTIC NATIONAL WILDLIFE REFUGE (ANWR) - 2

Resolution of the National Public Lands Advisory Council

WHEREAS: Falling domestic oil and gas exploration, production, and reserves, coupled with an alarming increase in the importation of foreign crude oil and products, indicates an increasing dependence on foreign sources of supply; and

WHEREAS: This dramatic increase in imports, up 43 percent in the first four months of 1986 over the same period last year, underscores the strategic role that oil plays in America's energy equation; and

WHEREAS: Current oil production from Alaska's North Slope presently accounts for 20-25 percent of our total daily production, but next year could see the beginning of the decline of Prudhoe Bay production, with rapid decline expected thereafter in the early 1990s; and

WHEREAS: New discoveries are urgently needed to replace rapidly depleting reserves, and the addition of a major new North Slope oil field would significantly reduce our Nation's dependence on foreign sources of supply, thereby enhancing our economic and military security; and

WHEREAS: Available geologic and geophysical data indicate that the coastal plain of the 18 million acre area of ANWR may hold discoveries of oil and gas that could surpass Prudhoe Bay, and is known as this country's most promising major undeveloped onshore prospect.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Secretary of the Interior to work with the Congress to prevent the inclusion of the Arctic National Wildlife Refuge coastal plain into the existing 8 million acre wilderness area of the refuge, so as to permit the opening up of this potentially highly prospective area to oil and gas leasing, exploration, and development. Development of this area would have great economic significance not only to the State of Alaska, but to the Nation as a whole.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

THREATENED AND ENDANGERED SPECIES

Resolution of the National Public Lands Advisory Council

WHEREAS: The listing of a species as threatened or endangered often has the potential for serious resource conflicts; and

WHEREAS: There may be substantial disagreement regarding the sufficiency or accuracy of the available data relative to the determination of a listing; and

WHEREAS: Considerable professional disagreement may exist regarding whether a species should or should not be listed.

THEREFORE, BE IT RESOLVED: That where there is substantial disagreement, the Council recommends the Secretary of the Interior designate an independent review panel, whose members were not involved in the original listing, to evaluate the adequacy and accuracy of the data and professional judgments used to make the listing determination.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

ENDANGERED SPECIES ACT

Resolution of the National Public Lands Advisory Council

WHEREAS: The presence of threatened or endangered plant or animal species can present serious obstacles to important resource use and development and to critical plant and animal pest control on public and private lands; and

WHEREAS: The process required by the Endangered Species Act, administered by the U.S. Fish and Wildlife Service through local, State, and Federal agencies is extremely complex, costly, and cumbersome.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior instruct the Director of the U.S. Fish and Wildlife Service to institute coordinating committees composed of appropriate representatives of agencies of the various departments, as well as interested and involved public and private interests at the national, regional/state, and local levels who will be responsible for early consultation, coordination, and resolution of the programs and issues affecting or affected by threatened and endangered species; and

BE IT FURTHER RESOLVED: That the Secretary of the Interior establish an interagency task force to develop recommendations, including amendments to the Act that will lead to more realistic protection and management of threatened and endangered species, giving full consideration to economic development on public and private lands.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

RIPARIAN DEFINITION

Resolution of the National Public Lands Advisory Council

BE IT RESOLVED: That the Bureau of Land Management adopt the following definition for riparian areas:

> "A riparian area is an area of land that is directly influenced by permanent water. It has visual vegetative or physical characteristics reflective of permanent water influence. Lake shores, river, or stream banks are typical riparian areas."

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

MULTIPLE USE INFORMATION PROGRAM

Resolution of the National Public Lands Advisory Council

WHEREAS: Many miles of interstate, federal, primary and secondary highways cross vast areas of BLM administered lands; and

WHEREAS: The multiple use of these lands has and continues to provide minerals, oil and gas, timber, grazing, recreation, and other resources and values under principles of multiple use; and

WHEREAS: Secretary of the Interior Hodel has initiated a major campaign known as "Take Pride in America" with respect to public lands; and

WHEREAS: The National Public Lands Advisory Council has urged the Department to develop a plan to educate the public regarding multiple use benefits.

THEREFORE, BE IT RESOLVED: That the Council recommends an interpretive sign and informational program depicting multiple use values at various points of interest on such highways heretofore identified in cooperation with State and local Governments to provide such turnouts and interpretive displays at various locations.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

FUNDING FOR BLM TIMBER SALE PROGRAM

Resolution of the National Public Lands Advisory Council

WHEREAS: The Bureau of Land Management timber sale program needs to be adequately funded to ensure continuation of its important contribution to the economies of the western states; and

WHEREAS: The timber sale program is a locally important part of the raw material supply for the forest products industry; and

WHEREAS: The forest products industry provides employment and economic benefits to dependent communities; and

WHEREAS: The BLM timber sale program returns to the American people stumpage receipts, capital improvements to the public land's assets, deposits, and other management benefits that are greater than the costs of the timber sale program.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the timber sale program be adequately funded.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

BLM WILDERNESS IN UTAH

Resolution of the National Public Lands Advisory Council

WHEREAS: The Bureau of Land Management in Utah has completed its Draft Environmental Impact Statement (DEIS) on wilderness; and

WHEREAS: The DEIS inadequately responded to the concerns raised by the Governor, the State Legislature, and elected county officials of Utah; and

WHEREAS: The DEIS inadequately responsed to the concerns of elected officials in Utah concerning wilderness and the use of public lands as being integral to the vitality and viability of the economy, in all its aspects, in Utah.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council supports and endorses SCR-1 which was passed by the Utah State Legislature in a May 1986 special session and supported by the Governor, the response to the DEIS by the counties of Utah, and the resolution recently adopted by BLM's Moab District Advisory Council.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

August 23, 1986

BONDING FOR HARDROCK MINING

Resolution of the National Public Lands Advisory Council

BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Secretary of the Interior and the Director of the Bureau of Land Management oppose reclamation bonding as proposed in H.R. 5234, the FY 1987 Appropriations Bill for the Department of the Interior.

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

NOV 3 1986

Memorandum

To: Members, National Public Lands Advisory Council

From: Assistant Secretary - Land and Minerals Management

Subject: Department Responses to Council Resolutions Adopted at the August 21-23 Meeting in Great Falls, Montana

We have reviewed the resolutions that the council adopted at its August 21-23 meeting in Great Falls, Montana, and would like to report back to you on actions that we have taken on each of them. Enclosed for your review and consideration are the Department's responses to the ten Council resolutions.

We look forward to discussing these resolutions further with you at your upcoming meeting in Rolla, Missouri.

Enclosures (10)

BONDING FOR HARDROCK MINING

Resolution

BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Secretary of the Interior and the Director of the Bureau of Land Management oppose reclamation bonding as proposed in H.R. 5234, the FY 1987 Appropriations Bill for the Department of the Interior.

Response: The Bureau agrees with the Council's recommendation to oppose the reclamation bonding requirements that were contained in the House-passed version of H.R. 5234. This does not mean, however, that we reject the useful role that bonding can have at appropriate times to assure proper management under the mining laws.

The current guidelines under which the hardrock mining program is administered clearly recognize the responsibility of field managers to identify situations of risk that would require various levels of bonding. Mandating a blanket bonding process, however, would not be fair to the vast majority of mining operators who are in compliance with statutory and regulatory provisions. Such a bonding requirement would add needless costs to many legitimate and prudent operations and would also cause a significant growth in the Federal bureaucracy and associated budgets to manage this effort.

In response to the various concerns expressed on the bonding issue, as well as those raised about mining claim recordation, the Director has decided to establish a directorate level task force to conduct an in-depth study of the past, present and future goals and objectives of these programs. The purpose of the study will be to determine the most prudent and effective manner in which to achieve future compliance with applicable provisions of the laws. Progress on this effort will be reported to the Council.

RECORDATION OF MINING CLAIMS

Resolution:

WHEREAS: The General Accounting Office recently has criticized the Bureau of Land Management (BLM) for recording mining claims located in withdrawn areas; and

WHEREAS: Such criticism misperceives the purposes of mining claim recordation in the Federal Land Policy and Management Act; and

WHEREAS: Legitimate disagreement as to withdrawal status may exist in certain instances; and

WHEREAS: Acceptance of material for recordation is nonjudgmental, and does not constitute BLM acknowledgment of claim validity; and

WHEREAS: An otherwise invalid claim is not made valid by recordation, and may not, therefore, encumber public land; and

WHEREAS: Failure to accept a valid claim for recordation can adversely affect the rights of claim locators; and

WHEREAS: Routine screening of mining claims represents an undue expense to BLM.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges BLM to strenuously resist GAO and Congressional pressures to screen mining claims prior to their acceptance for recording.

Response: The Bureau agrees with the thrust of this Council resolution. Unfortunately, confusion has arisen over the use of the term "screening." Some have interpreted this to mean that mining claimants appearing at appropriate BLM Offices with the required documents and filing fee will not be able to have their mining claims recorded. This is not so. Mining claims will be recorded promptly and the mining claimants will immediately receive a mining claim recordation serial number for each mining claim accepted for recordation.

The "screening" or land status determination process that ensues is to determine whether the land was open to operations of the Mining Law of 1872, as amended, at the time the mining claim was located. This determination should be timely completed, and if the land is determined to be closed to the operations of the mining laws, the mining claimant must be notified promptly that the mining claim is null and void ab initio.

The purpose of the land status determination is straightforward. Under the Federal Land Policy and Management Act of 1976 (FLPMA), the Bureau must assure that no unauthorized actions occur on withdrawn land that would compromise the intended purpose of the withdrawal.

The Bureau does not propose to bring the mining claim recordation process to a halt until the land status determination process has been completed. The mining claim recordation process, including the assigning of mining claim recordation serial numbers, will precede the land status determination process. This does not preclude the necessity to conduct land status checks to determine the status of the land at the time the mining claim was located.

Further, in response to the various concerns expressed on the mining claim recordation issue, as well as those raised on the bonding issue, the Director has decided to establish a directorate level task force to conduct an in-depth study of the past, present, and future goals and objectives of these programs. The purpose of the study will be to determine the most prudent and effective manner in which to achieve future compliance with applicable provisions of the laws. Progress on this effort will be reported to the Council.

ARCTIC NATIONAL WILDLIFE REFUGE (ANWR) - 1

Resolution

WHEREAS: During consideration of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), the United States Congress recognized the high potential for discovering oil and gas in the Arctic National Wildlife Refuge (ANWR); and

WHEREAS: Section 1001 of ANILCA directed the Secretary of the Interior to: (1) assess ANWR for potential oil and gas resources and make recommendations concerning future use and management of those resources including an evaluation of alternative transportation routes needed for oil and gas development, (2) review the wilderness characteristics and make recommendations for wilderness designation of these lands, and (3) study and make recommendations for protection of the wildlife resources of ANWR; and

WHEREAS: Section 1002(h) of ANILCA requires that Congress receive a report containing information on: (1) geological potential of the area, (2) description of fish and wildlife resources and their habitats, (3) assessment of the potential affects of oil and gas development on wildlife resources and habitat, (4) discussion of potential transportation and processing facilities, and (5) recommendations as to whether oil and gas leasing should occur in ANWR; and

WHERAS: A 1980 U.S. Geological Survey report estimated there are .8 to 17.6 billion barrels of undiscovered oil in place at the 95 percent and 5 percent probability levels, respectively, and from 1.4 to 28.1 trillion cubic feet of natural gas in the ANWR coastal plan, and the results of more recent seismic exploration work have not yet been made available to Congress or the public; and

WHEREAS: H.R. 4922 has been introduced in the House of Representatives by Congressman Morris Udall that would preempt the Congressionally-mandated analysis of geologic and wildlife related information and simply place the 1.5 million acre coastal plain in permanent wilderness designation, and over 50 representatives have co-signed this legislation.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council expresses its opposition to Congress' consideration of the land status of ANWR in violation of its own mandated procedures and urges all Members of Congress to commit to no position on the ANWR until Congress has analyzed the 1002(h) study prepared by the Secretary of the Interior.

BE IT FURTHER RESOLVED: That a copy of this resolution be sent to every Member of Congress.

Resolution

WHEREAS: Falling domestic oil and gas exploration, production, and reserves, coupled with an alarming increase in the importation of foreign crude oil and products, indicates an increasing dependence on foreign sources of supply; and

WHEREAS: This dramatic increase in imports, up 43 percent in the first four months of 1986 over the same period last year, underscores the strategic role that oil plays in America's energy equation; and

WHEREAS: Current oil production from Alaska's North Slope presently accounts for 20-25 percent of our total daily production, but next year could see the beginning of the decline of Prudhoe Bay production, with rapid decline expected thereafter in the early 1990s; and

WHEREAS: New discoveries are urgently needed to replace rapidly depleting reserves, and the addition of a major new North Slope oil field would significantly reduce our Nation's dependence on foreign sources of supply, thereby enhancing our economic and military security; and

WHEREAS: Available geologic and geophysical data indicate that the coastal plain of the 18 million acre area of ANWR may hold discoveries of oil and gas that could surpass Prudhoe Bay, and is known as this country's most promising major undeveloped onshore prospect.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Secretary of the Interior to work with the Congress to prevent the inclusion of the Arctic National Wildlife Refuge coastal plain into the existing 8 million acre wilderness area of the refuge, so as to permit the opening up of this potentially highly prospective area to oil and gas leasing, exploration, and development. Development of this area would have great economic significance not only to the State of Alaska, but to the Nation as a whole.

Response: As the Council has noted, Section 1002(h) of the Alaska National Interest Lands Conservation Act (ANILCA) requires the Secretary of the Interior to prepare a comprehensive and continuing inventory and assessment of the coastal plain of the Arctic National Wildlife Refuge. He is also required to submit a report to Congress on the values of the coastal plain and provide recommendations for allowable activities in the area. That study and the recommendations by the Secretary are scheduled for submission to Congress in the spring of 1987. The Bureau of Land Management agrees with the National Public Lands Advisory Council that Congress should withhold any action concerning the coastal plain until the Secretary submits the plan called for in ANILCA.

THREATENED AND ENDANGERED SPECIES

Resolution

WHEREAS: The listing of a species as threatened or endangered often has the potential for serious resource conflicts; and

WHEREAS: There may be substantial disagreement regarding the sufficiency or accuracy of the available data relative to the determination of a listing; and

WHEREAS: Considerable professional disagreement may exist regarding whether a species should or should not be listed.

THEREFORE, BE IT RESOLVED: That where there is substantial disagreement, the Council recommends the Secretary of the Interior designate an independent review panel, whose members were not involved in the original listing, to evaluate the adequacy and accuracy of the data and professional judgments used to make the listing determination.

Response: This is an excellent recommendation. The Director of the Fish and Wildlife Service has already exercised this option and will use the Council's support to expand its use in the future.

ENDANGERED SPECIES ACT

Resolution

WHEREAS: The presence of threatened or endangered plant or animal species can present serious obstacles to important resource use and development and to critical plant and animal pest control on public and private lands; and

WHEREAS: The process required by the Endangered Species Act, administered by the U.S. Fish and Wildlife Service through local, State, and Federal agencies is extremely complex, costly, and cumbersome.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior instruct the Director of the U.S. Fish and Wildlife Service to institute coordinating committees composed of appropriate representatives of agencies of the various departments, as well as interested and involved public and private interests at the national, regional/state, and local levels who will be responsible for early consultation, coordination, and resolution of the programs and issues affecting or affected by threatened and endangered species; and

BE IT FURTHER RESOLVED: That the Secretary of the Interior establish an interagency task force to develop recommendations, including amendments to the Act that will lead to more realistic protection and management of threatened and endangered species, giving full consideration to economic development on public and private lands.

Response: The Director of the Bureau of Land Management has initiated discussions with the Director of the Fish and Wildlife Service about this Council resolution.

A coordination committee at the Deputy Director level has been established by BLM and the Fish and Wildlife Service to discuss and resolve, where practical, issues involving both agencies. Coordination on threatened and endangered species matters will be a priority consideration. Additional coordination is ongoing between BLM's Division of Wildlife and Fisheries and the Fish and Wildlife Service's Office of Endangered Species.

We are also working with various Federal agencies through the Interagency Pest Management (IPM) Steering Committee to coordinate pest management and endangered species management efforts. This Steering Committee is made up of policy-level representatives from BLM, FWS, APHIS, ARS, EPA, USFS, and NPS and to date has focused its attention on grasshopper and mormon cricket control. A Technical Working Group has also been formed to advise the Committee on means to coordinate threatened and endangered species and pest management programs. One of their charges, for example, will be to resolve conflicts between endangered peregrine falcons in Dinosaur National Park and efforts to control mormon crickets in the area. Similar committees are also being

considered to resolve other endangered species conflicts. The Department of the Interior's Interagency Coordination Committee, established by Under Secretary Ann McLaughlin, is a good forum for identifying threatened and endangered species conflicts.

The Bureau recognizes the complexity of the process required to comply with Section 7 of the Endangered Species Act and the potential for unnecessary delay or restrictions on proposals for other land uses. To reduce these affects, the Bureau presently initiates the consultation process as soon as a definite proposal or application is received. By beginning that process early and involving concerned parties (applicant, Fish and Wildlife Service, fish and game agency), we have been able to avoid unreasonable delays and restrictions while still meeting the objectives of the applicant and endangered species management.

MULTIPLE USE INFORMATION PROGRAM

Resolution

WHEREAS: Many miles of interstate, federal, primary and secondary highways cross vast areas of BLM administered lands; and

WHEREAS: The multiple use of these lands has and continues to provide minerals, oil and gas, timber, grazing, recreation, and other resources and values under principles of multiple use; and

WHEREAS: Secretary of the Interior Hodel has initiated a major campaign known as "Take Pride in America" with respect to public lands; and

WHEREAS: The National Public Lands Advisory Council has urged the Department to develop a plan to educate the public regarding multiple use benefits.

THEREFORE, BE IT RESOLVED: That the Council recommends an interpretive signing and informational program depicting multiple use values at various points of interest on such highways heretofore identified in cooperation with State and local Governments to provide such turnouts and interpretive displays at various locations.

Response: The Council's recommendation to provide multiple use interpretive and information signing in cooperation with State and local governments fits perfectly with the Bureau of Land Management's signing initiative. The Bureau recently identified the need and benefits of signing the public lands through the BLM-initiated Project Pride Task Force. The Bureau's Management Team approved the Task Force's recommendation to institute an aggressive signing program for the public lands. This includes interpretive displays along with directional, project, and safety signs. In addition, the Bureau will be contacting national map firms and State highway departments to provide information on public lands.

FUNDING FOR BLM TIMBER SALE PROGRAM

Resolution

WHEREAS: The Bureau of Land Management timber sale program needs to be adequately funded to ensure continuation of its important contribution to the economies of the western states; and

WHEREAS: The timber sale program is a locally important part of the raw material supply for the forest products industry; and

WHEREAS: The forest products industry provides employment and economic benefits to dependent communities; and

WHEREAS: The BLM timber sale program returns to the American people stumpage receipts, capital improvements to the public land's assets, deposits, and other management benefits that are greater than the costs of the timber sale program.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the timber sale program be adequately funded.

Response: The Senate Appropriations Subcommittee on Interior and Related Agencies took action in August to restore the $1,690,000 reduction that had been proposed for the Bureau's commercial forest management program. Although the restored funding level was approved by the full Senate, the House-Senate conference committee on the Department's FY 1987 appropriations bill only agreed to restore $1,000,000 of the proposed reduction. This funding level was also contained in the Continuing Resolution recently passed by Congress.

The Bureau will distribute the $1,000,000 add-on based on an analysis of the individual state programs, with weighted consideration being given to those localized areas and economies dependent on BLM timber. Further adjustments may be made depending on the results of a current study to develop an approach to analyze individual timber sales to reduce below cost sales.

RIPARIAN DEFINITION

Resolution

BE IT RESOLVED: That the Bureau of Land Management adopt the following definition for riparian areas:

> "A riparian area is an area of land that is directly influenced by permanent water. It has visual vegetative or physical characteristics reflective of permanent water influence. Lake shores, river, or stream banks are typical riparian areas."

Response: The Council's recommended definition appears to be in concert with the Bureau's position on riparian management. It will be considered for use in future guidance to Bureau field offices on riparian system inventory, monitoring, and management.

BLM WILDERNESS IN UTAH

Resolution

WHEREAS: The Bureau of Land Management in Utah has completed its Draft Environmental Impact Statement (DEIS) on wilderness; and

WHEREAS: The DEIS inadequately responded to the concerns raised by the Governor, the State Legislature, and elected county officials of Utah; and

WHEREAS: The DEIS inadequately responsed to the concerns of elected officials in Utah concerning wilderness and the use of public lands as being integral to the vitality and viability of the economy, in all its aspects, in Utah.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council supports and endorses SCR-1 which was passed by the Utah State Legislature in a May 1986 special session and supported by the Governor, the response to the DEIS by the counties of Utah, and the resolution recently adopted by BLM's Moab District Advisory Council.

Response: The Department of the Interior is required by law to inventory, study, report on, and manage wilderness on the public lands administered by the Bureau of Land Management. Under the law, the decision on what land should actually be designated wilderness can only be made by Congress. Congress established a procedure for inventorying and studying our resources to determine their suitability for designation as wilderness. We continue to study lands to determine which areas possess wilderness characteristics and should be protected and preserved. The system provides for input from all interested parties, with the final designation resting with the Congress, following recommendations from the Executive Branch. We feel the process established by Congress provides for proper consideration in reaching wise decisions.

It is our goal to provide complete information to both the public and Congress so that the best possible decision can be made. The mandated process is being followed in the Utah wilderness review process. All comments on the draft environmental impact statement, including those of the National Public Lands Advisory Council, will be evaluated and responded to in the final environmental impact statement for the public lands in Utah.

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